



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 16, No. 37    September 11, 1997    Pages 1489-1536

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## State of Kansas

## Department of Revenue

## Revenue Ruling 19-97-2

Issue: Application of Sales Tax to Farriers

Relevant statutes: K.S.A. 79-3603(p), K.S.A. 79-3603(q)

The purpose of this revenue ruling is to clarify the application of state and local sales tax to charges for farrier's services performed in Kansas. A farrier is someone who shoes horses and trims their hooves.

Effective October 1, 1997, all resident and nonresident farriers who perform work in Kansas must register as retailers and collect and remit sales tax on their services performed here. Farriers who have previously registered with the department as retailers need not re-register.

Farrier services performed on racehorses, competition horses, recreational horses and other horses not specifically exempted below are subject to sales tax. Farrier services are exempt when performed on plow horses and on horses used primarily for herding. Farrier services for horse-breeding operations are exempt only if the horse-breeder is registered as a Kansas retailer to collect tax on its horse sales. Farriers must document all exempt sales by securing and maintaining an exemption certificate from each customer that claims exemption.

Special rules determine the local sales tax that must be charged and collected by service providers such as farriers. Generally, Kansas service providers must charge customers the local sales tax that is in place at the provider's business location (K.S.A. 12-191). This rule applies even when a service provider performs services in a county that has no local sales tax. Out-of-state farriers generally are not required to charge local taxes (K.S.A. 12-191a). When a contract for services exceeds \$10,000, different rules apply for collection of local sales tax.

Farriers who register with the department for sales tax purposes may purchase horseshoes, shoe nails and other items that are transferred as part of their services exempt from sales tax.

Anyone who has questions or wishes to discuss this ruling may contact the Taxpayer Assistance Bureau, Kansas Department of Revenue, Topeka, 66625-0001, (785) 296-0222.

John D. LaFaver  
Secretary of Revenue

Doc. No. 019639

## State of Kansas

## University of Kansas Medical Center

## Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Wednesday, September 24, 1997

728033

Asphalt paving

(Pre-bid conference held on 9/12/97 at 9 a.m.)

Friday, September 26, 1997

728038

Provide and install digital camera system for  
UKSM-Wichita

Barbara Lockhart  
Purchasing Director

Doc. No. 019634

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**Room 233-N, State Capitol**  
**(785) 296-3489**  
**Fax (785) 291-3051**

State of Kansas

**Speech-Language Pathology and  
Audiology Advisory Board**

**Notice of Meeting**

The Speech-Language Pathology and Audiology Advisory Board will meet at 9 a.m. Wednesday, September 17, in Room G of the Kansas-National Education Association Building, 715 W. 10th, Topeka.

Lesla Bray, Director  
Health Occupations Credentialing

Doc. No. 019624

State of Kansas

**Department of Administration**

**Public Notice**

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Division of Accounts and Reports show the unobligated balances are \$2,340,005.43 in the underground petroleum storage tank release trust fund and \$326,001.88 in the aboveground petroleum storage tank release trust fund at August 31, 1997.

Daniel R. Stanley  
Secretary of Administration

Doc. No. 019630

State of Kansas

**Real Estate Appraisal Board**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Friday, December 5, in the second floor conference room of the Columbian Title Building, 820 S. Quincy, Topeka, to consider the adoption of amendments to regulations 117-2-1, 117-3-1, 117-3-2, 117-4-1, 117-4-2, 117-6-1, 117-6-3 and 117-8-1.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Columbian Title Building, 820 S. Quincy, Suite 314, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Michael Haynes at (785) 296-0706.

The regulation amendments are proposed for adoption on a permanent basis. A summary of the proposed amendments and their economic impact follows.

**117-2-1. Licensed classification; education requirements.** This would require an increase of 15 classroom hours of pre-licensing education and not allow experience credit to be obtained for teaching a course. It is estimated that this would be an increase of \$150-\$400 to new applicants.

**117-3-1. General classification; education requirements.** This would require an increase of 15 classroom hours of pre-licensing education and not allow experience credit to be obtained for teaching a course. It is estimated that this would be an increase of \$150-\$400 to new applicants.

**117-3-2. General classification; experience requirement.** This would require a new applicant to have an additional 500 hours of experience credit. There would be no economic impact to applicants, appraisers, the public or state agencies.

**117-4-1. Residential classification; education requirements.** This would not allow experience credit to be obtained for teaching a course. There would be no economic impact to applicants, appraisers, the public or state agencies.

**117-4-2. Residential classification; experience requirement.** This would require a new applicant to have an additional 500 hours of experience credit. There would be no economic impact to applicants, appraisers, the public or state agencies.

**117-6-1. Continuing education; renewal requirements.** This would increase the number of hours of continuing education annually from 10 to 14. This could have an economic impact of approximately \$150-\$400 to all licensed or certified appraisers. There would be no impact to the public or state agencies.

**117-6-3. Education; obtaining course approval.** This would require all providers of the Uniform Standards of Professional Appraisal Practice courses to provide the student with the current copy of the Uniform Standards of Professional Appraisal Practice. This may add additional costs to the student and/or provider; however, it is expected to be minor, if any. There will be no additional costs to the public or state agencies.

**117-8-1. Uniform standards of professional appraisal practice.** This would revise the regulation so it would not have to be amended each time the Uniform Standards of Professional Appraisal Practice is updated. There would be no economic impact to appraisers, the public or state agencies.

Copies of the regulations and their economic impact statement may be obtained from the Kansas Real Estate Appraisal Board.

Michael K. Haynes  
Director

Doc. No. 019635

## State of Kansas

Department of Administration  
Division of Purchases

## Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information.

**Monday, September 22, 1997**

**32691**

Department of Wildlife and Parks—Dump truck and loader services (Hutchinson)

**6551**

Kansas State University—Arabidopsis optimized growth chamber

**6557**

University of Kansas—Calorimeter system

**6558**

Kansas State University—CO<sub>2</sub> incubators and biological safety cabinets

**65272**

Department of Administration, Central Motor Pool—Motor vehicles

**6573**

El Dorado Correctional Facility—Bedsprad/blanket

**6579**

University of Kansas—Paper, printing and binding: 1997 Political Science Catalog

**Tuesday, September 23, 1997**

**32686**

State Corporation Commission—Well plugging, Reichenberger Lease

**32689**

University of Kansas—Printing, binding and mailing of "Law Review"

**6548**

Kansas State University—Elevator hoist repairs

**6578**

Kansas State University—Hi-Pro soybean meal

**Wednesday, September 24, 1997**

**32688**

Kansas State University—October (1997) meat products

**6549**

Department of Transportation—Microwave path analysis, various locations

**6550**

Department of Transportation—Celwave combiner, various locations

**Friday, September 26, 1997**

**A-8324**

Kansas State University—ADA access ramp, Willard Hall

**6559**

Fort Hays State University—Light fixtures

**6561**

Kansas State University—Furnish and install fire alarm system

**6562**

Department of Social and Rehabilitation Services—Furnish all labor and materials for bathroom remodel, LaCygne

**6563**

Kansas State University—Furnish and install seating

**6564**

Kansas Bureau of Investigation—Evidence tracking bar code system

**6565**

Kansas Highway Patrol—Vehicular wheelchair tie-downs

**6580**

Department of Transportation—Aggregate (Edwardsville)

**Tuesday, September 30, 1997**

**A-8102**

University of Kansas Medical Center—Replace fire alarm system, Bell Memorial Hospital

**A-8316**

Fort Hays State University—Elevator equipment room air conditioning, McMIndes Hall

**A-8375**

Topeka Correctional Facility—Roof replacement, "E" dormitory, administration building and walkway

**Tuesday, October 7, 1997**

**A-8150**

Emporia State University—Facility renovation, Memorial Union

**Thursday, October 9, 1997**

**A-7949**

Department of Wildlife and Parks—1997 dam and spillway rehabilitation, Ottawa State Fishing Lake

**Thursday, December 11, 1997**

**32692**

Department of Wildlife and Parks—Coal reclamation and recovery

\*\*\*\*\*

## Request for Proposals

**Wednesday, September 24, 1997**

**32684**

Grants close out for the Department of Social and Rehabilitation Services

**Monday, September 29, 1997**

**32687**

Cost report services for the Department of Social and Rehabilitation Services

**Friday, October 3, 1997**

**6560**

Telephone integration consulting services for the University of Kansas Medical Center

John T. Houlihan  
Director of Purchases

Doc. No. 019638

## State of Kansas

## Pooled Money Investment Board

## Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1996 Supp. 75-4210. These rates and their uses are defined in K.S.A. 1996 Supp. 12-1675(b)(c)(d), and K.S.A. 1996 Supp. 75-4201(l) and 75-4209(a)(1)(B).

## Effective 9-8-97 through 9-14-97

Term	Rate
1-89 days	5.56%
3 months	5.32%
6 months	5.49%
9 months	5.64%
12 months	5.76%
18 months	5.87%
24 months	5.95%

William E. Lewis  
Chairman

Doc. No. 019629

## State of Kansas

## Secretary of State

## Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of August 1997 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

## Domestic Corporations

A.J.O., Inc., Overland Park, KS.  
A's, Inc., Haysville, KS.  
Accent Computer Services, Inc., Mission, KS.  
Advisory Associates Inc., Wichita, KS.  
Alfalfa Growers Supply, L.L.C., Larned, KS.  
Aluminum Industries, Inc.-Kansas, Cedarburg, WI.  
Amtech, Inc., Shawnee Mission, KS.  
Ark City Veterinary Clinic, P.A., Arkansas City, KS.  
Arrowhead Contracting, Inc., Olathe, KS.  
Ash International, Inc., Wichita, KS.  
Auto Parts of Junction City, Inc., Topeka, KS.  
Auto Supply North, Inc., Topeka, KS.  
B-H-R Professional Bldg., Inc., Parsons, KS.  
Boster Management, Inc., Salina, KS.  
Boulevard Credit Motors, Ltd., Overland Park, KS.  
Bourland Enterprises, Ltd., Leawood, KS.  
Bradshaw Services Inc., Liberal, KS.  
Breck's, Inc., Paola, KS.  
Brite Lites, Inc., Wichita, KS.  
Brown Enterprises, Inc., Overland Park, KS.  
C & B Energy, Inc., Chanute, KS.  
C B, Inc., d/b/a Chicago's, Kansas City, KS.  
Career Dynamics Inc., Overland Park, KS.  
Cash, L.L.C., Clay Center, KS.  
Castaneda Traffic Control, Inc., Manhattan, KS.  
CCM Mortgage, Inc., Overland Park, KS.  
Cherry Communications, Inc., Merriam, KS.  
Comfort Supply, Inc., Wichita, KS.  
Creative Realty Inc., Garden Plain, KS.

D S D Inc., Salt Lake City, UT.  
Dance Enterprises, Inc., Wichita, KS.  
Diane F. Barger, P.A., Wichita, KS.  
Dutton's Inc., Augusta, KS.  
E&A Construction, L.L.C., Wichita, KS.  
Eagle Security Service, Inc., Wichita, KS.  
Ed Milberger Pest Control, Inc., Kansas City, KS.  
Elizabeth A. Harbin, C.R.N.A., Chartered, Leawood, KS.  
Encore Insurance Agency, Inc., Belton, MO.  
Family Mediation Services, Inc., Oelwein, IA.  
Feeder Pig Producers I, Inc., Kansas City, KS.  
First Check, Inc., Junction City, KS.  
First Kansas Mortgage Company, Gardner, KS.  
Flaming's Plumbing Heating - Air Conditioning Inc., Goessel, KS.  
Foreign Connections, Inc., Wichita, KS.  
Fort Scott Family Shoe Store, Inc., Fort Scott, KS.  
Gamm, L.C., Leawood, KS.  
Gosselin Stores Co., Inc., York, PA.  
Home Health Limited, Inc., Garnett, KS.  
Home Health Services, Inc., Garnett, KS.  
I.L.S. Family Limited Partnership, II, Shawnee, KS.  
Info Pro, Inc., Hutchinson, KS.  
Innovative Auto Sales, Inc., Derby, KS.  
Internet Communications & Computing Inc., Manhattan, KS.  
JJ-C Company, Inc., Shawnee Mission, KS.  
K - Enterprises, Inc., Peck, KS.  
K.C.R.C., Inc., Kansas City, KS.  
Kansas Cryogenics, Inc., Overland Park, KS.  
Kansas Dental Association Services, Inc., Topeka, KS.  
KCSC Space Works, Inc., Hutchinson, KS.  
Kenco, Inc., Lawrence, KS.  
Kicker's, Inc., Manhattan, KS.  
King Wood Products, Inc., Louisburg, KS.  
L. G. Development, Inc., Liberal, KS.  
Lacy Holdings, Inc., Topeka, KS.  
M & V Floor Covering, Inc., Hays, KS.  
Maralon Company L.P., Shawnee Mission, KS.  
McIntyre Carpet Centers, Inc., Overland Park, KS.  
Modern Builders, Inc., Manhattan, KS.  
Mt. Olive Missionary Baptist Church of Wichita, Inc., Wichita, KS.  
N. H. C., Inc., Shawnee Mission, KS.  
Office Works, L.L.C., Colby, KS.  
Performance Discount Printers, Inc., Shawnee Mission, KS.  
Premier Reporting, Inc., Derby, KS.  
Pro Marq Graphics, Inc., Shawnee Mission, KS.  
Publishers Warehouse of Lawrence, Kansas, Inc., Knoxville, TN.  
R & R Innes, Inc., Ogden, KS.  
R D R Enterprises, Inc., Minneapolis, KS.  
Recycling Resources, Inc., Topeka, KS.  
Rex Roto Corporation of Kansas, Council Grove, KS.  
Rider Ranch, Inc., Ulysses, KS.  
River City Painting, Decorating and Remodeling Services, Inc., Lawrence, KS.  
Robert F. Branning & Associates, Inc., Lenexa, KS.  
Rolling Pin Bakery, Inc., Great Bend, KS.  
Ronald W. Likes Company, Inc., Overland Park, KS.  
Rynart Transport, Inc., Wichita, KS.  
S. M. Hanson Music, Inc., Salina, KS.  
Shawnee Plaza Partners, L.P., Topeka, KS.  
Show Me Branson, Missouri Tours, Inc., Overland Park, KS.  
Smiling Jack's Sky Service, Inc., Ottawa, KS.  
Sonic Drive-In, El Dorado, Kansas, Inc., El Dorado, KS.  
Star Productions, Inc., Topeka, KS.  
Steri-Source, L.L.C., Kansas City, MO.  
Straco, Inc., Kansas City, KS.  
The Intercollegiate Athletic Council of Kansas State University, Inc., Manhattan, KS.

(continued)

The Ramsay Brothers Stores Company, Grove, OK.  
 The Solutions Group, Inc., Shawnee, KS.  
 The Whole Person, Inc., Kansas City, MO.  
 Thompson Sales Company, Leawood, KS.  
 United Senior Citizens Council, Inc., Shawnee Mission, KS.  
 Utility Diving Services, Inc., Kansas City, KS.  
 Waste Resource Recovery, Inc., Wichita, KS.  
 Wheatland Construction, Inc., Derby, KS.  
 Whiskey River, Ltd., Gardner, KS.  
 Willard's Quality Oil, Inc., Miltonvale, KS.  
 Willis Bros. Energy, L.L.C., Chanute, KS.  
 WMR, Inc., Topeka, KS.  
 Youth America, Inc., Shawnee Mission, KS.  
 3-D Biomedical Imaging, Inc., Shawnee Mission, KS.  
 4-M Farms, Inc., Garden City, KS.

### Foreign Corporations

A & K Railroad Materials, Inc., Salt Lake City, UT.  
 American Business Alliance, Inc., Kingston, PA.  
 B. Carpenter & Sons, Inc., Blue Springs, MO.  
 Baucom Concrete Construction, Inc., Broken Arrow, OK.  
 Capilano Geophysical Inc., Houston, TX.  
 Community Provider Insurance, Inc., Johnston, IA.  
 CRW Financial, Inc., King of Prussia, PA.  
 Engineering Management Consultants, Inc., Neosho, MO.  
 Four M Bridge, Inc., Louisiana, MO.  
 GNC Franchising, Inc., Pittsburgh, PA.  
 Grandy Zine Productions, Inc., Covington, GA.  
 Gymboree Operations, Inc., Burlingame, CA.  
 Gymboree Play Programs, Inc., Burlingame, CA.  
 Haines & Johnson Enterprises, Inc., Lawrence, KS.  
 Hechinger Stores Company, Upper Marlboro, MD.  
 Home Quarters Warehouse, Inc., Virginia Beach, VA.  
 Howard L. Miller Sterling Apartments, L.P., St. Joseph, MO.  
 J. J. Newberry Co., York, PA.  
 Kuppenheimer Manufacturing Company, Inc., Norcross, GA.  
 Landmark Steel Inc., Keller, TX.  
 Lane Bryant, Inc., Reynoldsburg, OH.  
 Linear Dynamics Inc., Parsippany, NJ.  
 Louis Dreyfus Natural Gas Corp., Oklahoma City, OK.  
 McCrory Corporation, York, PA.  
 Memorex Teléx Corporation, Irving, TX.  
 Mid-States Excavating, Inc., Blue Springs, MO.  
 National Book Warehouses, Inc., New Brunswick, NJ.  
 Natural Wonders, Inc., Fremont, CA.  
 Opkept Realty Corporation, Stamford, CT.  
 Peerless Radio Corporation, Lynbrook, NY.  
 Polo Development Company, Inc., Weatherby Lake, MO.  
 Professional Data Control, Inc., Leawood, KS.  
 Quality Water Treatment, Inc., St. Louis, MO.  
 R.M.P. & Associates, Inc., Las Vegas, NV.  
 S.S. Retail Stores Corporation, Union City, CA.  
 Sierra Telcom Services, Inc., Santa Fe, NM.  
 Special Express Corp., North Kansas City, MO.  
 Staples, Inc., Framingham, MA.  
 Strouse & Brothers, Incorporated, Evansville, IN.  
 Sunglass Hut of California, Inc., Coral Gables, FL.  
 T. G. & Y. Realty Co., York, PA.  
 T. G. & Y. Stores Co., York, PA.  
 Texas Railway Services, Inc., Thousand Oaks, CA.  
 The Book Market, Inc., New Brunswick, NJ.  
 The Casual Male, Inc., Readville, MA.  
 The Gymboree Stores, Inc., Burlingame, CA.  
 The Structured Settlements Company, Inc., Los Angeles, CA.  
 The Whitlock Corporation, Northlake, IL.  
 United Retail Incorporated, Rochelle Park, NJ.  
 Utility Consultants, Inc., Atlanta, GA.

Ron Thornburgh  
 Secretary of State

Doc. No. 019637

### State of Kansas

#### Information Network of Kansas

##### Notice of Meeting

The Information Network of Kansas Board of Directors will meet at 1 p.m. Thursday, September 18, at the Sedgwick County Courthouse, County Board Room, Suite 343, 525 N. Main, Wichita. The meeting is open to the public.

Charles R. Warren  
 Chairman

Doc. No. 019626

### State of Kansas

#### Secretary of State

##### Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

##### Gray County Treasurer

**Sheryl A. Plotner**, 6516 U.S. 50, Ingalls, 67853. Term expires when a successor is elected and qualifies according to law. Succeeds Sheryl Evinger.

##### State Board of Accountancy

**Robert T. Schendel**, 11654 Grant Drive, Overland Park, 66210. Term expires July 31, 2000. Succeeds Kimberly Brown.

**Gary R. Summers**, CPA, CVA, Summers, Spencer & Cavanaugh, Chtd., 5825 S.W. 29th, Suite 202, Topeka, 66614. Term expires July 31, 2000. Succeeds James Head.

##### Kansas Corn Commission

**Ronald L. Blaesi**, HC 2, Box 86, Sharon Springs, 67758. Term expires June 30, 2001. Reappointment.

**Sally G. Peterson**, P.O. Box 561, Johnson, 67855. Term expires June 30, 2001. Succeeds Merle Krause.

**Ted Zielke**, Route 2, Box 79, St. Francis, 67756. Term expires June 30, 2001. Succeeds Paul Nauer.

##### Governor's Mental Health Services Planning Council

**Donna Baker**, 3444 N.E. Happy Hollow Road, Topeka, 66608. Term expires June 30, 2001.

**Dr. Donald Brada**, 52 Mission Road, Wichita, 67207. Term expires June 30, 2001.

**Connie L. Byers**, 715 N. Cedar, Kingman, 67068. Term expires June 30, 2001.

**Elizabeth L. Cunningham**, 704 Avenue D, Dodge City, 67801. Term expires June 30, 2001.

**Mike Davis**, 6937 E. 213th, Quenemo, 66529. Term expires June 30, 1999.

**Mary E. Goetze**, 8104 Beverly Drive, Prairie Village, 66208. Term expires June 30, 1999.

**Kim Holland**, 10192 Haskins, Lenexa, 66205. Term expires June 30, 1999.

**Nolan G. Howell**, 5318 Quail Creek Drive, Great Bend, 67530. Term expires June 30, 1999.

**Kimberly L. Ingram**, 1436 Burns St., Wichita, 67203. Term expires June 30, 2001.

**Randall S. Kitchen**, 2940 N. 64th, Kansas City, KS 66104. Term expires June 30, 1999.

**Angie Lawrence**, P.O. Box 21, West Mineral, 66782. Term expires June 30, 1999.

**Jack W. Martin, Ph.D.**, P.O. Box 258, Parsons, 67357. Term expires June 30, 2001.

**Rose Mary Mohr, Ph.D., Chair**, c/o Mental Health Association of South Central Kansas, 555 N. Woodlawn, Suite 3105, Wichita, 67208. Term expires June 30, 2001.

**Rick Pfeiffer**, 3101 N. Michigan, Suite B, Pittsburg, 66762. Term expires June 30, 2001.

**Mary E. Rohleder**, 108 W. 16th, Hays, 67601. Term expires June 30, 1999.

**Paul Sanchez**, 208 W. Indianapolis, Wichita, 67213. Term expires June 30, 1999.

#### **Kansas Grain Sorghum Commission**

**Lynn Goossen**, Route 2, Box 420F, Colby, 67701. Term expires June 30, 2001. Reappointment.

**Gregory Graff**, Route 1, Box 65H, Marienthal, 67863. Term expires June 30, 2001. Succeeds Robert Tuttle.

**Donald L. Rome**, 1314 Cloud Circle, Garden City, 67846. Term expires June 30, 2001. Succeeds Gregory Shelor.

#### **Juvenile Justice State Advisory Group**

**J. Russell Jennings**, 515 Pleasantview Lane, Lakin, 67860. Term expires May 30, 1999. Succeeds J. Kenneth Hales, resigned.

**Michael J. Youngken**, Johnson County Director of Corrections, 135 S. Kansas Ave., Olathe, 66061. Term expires May 30, 1999. Succeeds David P. White, resigned.

#### **Kansas Regional System of Cooperating Libraries**

##### **Central Kansas Regional Library System:**

**Rosanne Ballou**, 2334 N. 90th Road, Delphos, 67436. Term expires June 30, 1999. Succeeds Margaret Jagger.

**Kathryn Carter**, Route 1, Box 121, Jamestown, 66948. Term expires June 30, 2001. Succeeds Shirley Carpenter.

**Don Dejmaj**, Box 9, Munden, 66959. Term expires June 30, 2001. Succeeds Iona Tuley.

**Glennys E. Doane**, 510 W. Highway 24, Downs, 67437. Term expires June 30, 2001. Reappointment.

**Marlene F. Ernsting**, 173 S.E. 100th Ave., Ellinwood, 67526. Term expires June 30, 2001. Succeeds Mary Misegadis.

**Linda Fehlman**, Route 1, Box 60, Phillipsburg, 67661. Term expires June 30, 2001. Succeeds Raylene Bugbee.

**Shirley R. Green**, P.O. Box 503, Hays, 67601. Term expires June 30, 1998. Succeeds Virginia Krause.

**Nanette Hilgers**, 2330 13th Road, Plainville, 67663. Term expires June 30, 1999. Succeeds Joe Malin.

**Frances E. Malir**, 346 Ave. K, Wilson, 67490. Term expires June 30, 2001. Reappointment.

**Sharon M. May**, Box 42, Tipton, 67845. Term expires June 30, 2001. Reappointment.

**Ruth E. McCartney**, Route 1, Box 63, Lebanon, 66952. Term expires June 30, 2001. Succeeds Linda Morgan.

**Charles L. Miller**, 3445 E. Hobbs Creek Road, Assaria, 67416. Term expires June 30, 2001. Reappointment.

**Zelma Powell**, Route 2, Box 9, Beverly, 67423. Term expires June 30, 2001. Reappointment.

**Venita K. Schrott**, Route 2, Box 168, Rush Center, 67575. Term expires June 30, 1999. Succeeds Susan Peach.

**Ralph L. Spiegel**, Route 1, Box 138, Formoso, 66942. Term expires June 30, 2001. Succeeds Phyllis Liggett.

#### **North Central Kansas Regional Library System:**

**Rosalie A. Olmsted**, 1011 Main, Beattie, 66406. Term expires June 30, 2001. Reappointment.

**Edith A. Penner**, Route 2, Box 77, Hillsboro, 67063. Term expires June 30, 2001. Reappointment.

**Susan E. Schardein**, 8801 University Park Road, Manhattan, 66503. Term expires June 30, 2001. Reappointment.

**Kay E. Wealand**, Route 1, Box 1A, Elmdale, 66850. Term expires June 30, 2001. Reappointment.

**Mary C. White**, 2515 18th Road, Hanover, 66945. Term expires June 30, 2001. Reappointment.

#### **Military Advisory Board**

**Col. Danny D. Kinney**, Commander, 69th Troop Command, 600 Oakland Ave., Council Bluffs, IA 51503. Serves at the pleasure of the Governor. Succeeds Col. Everett R. Weaver.

**Col. Thomas M. Tritsch**, Commander, 35th Division Artillery, 945 Carla Drive, Troy, IL 62294. Serves at the pleasure of the Governor. Succeeds Col. Aaron D. Kelly.

#### **State Board of Mortuary Arts**

**Barry W. Bedene**, 501 N. 4th, Arma, 66712. Term expires July 31, 2000. Reappointment.

**Terrance L. Glasscock**, Kansas Department on Aging, Room 150-S, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Term expires July 31, 2000. Succeeds Frances Thull.

**Melissa A. Wangemann**, Secretary of State's Office, 2nd Floor, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. Term expires July 31, 2000. Succeeds Frank Bruner.

#### **Kansas Soybean Commission**

**Robert E. Litch**, 602 N.E. Emporia St., Melvern, 66510. Term expires June 30, 2001. Succeeds Hayden Wood.

**Edward J. Mader**, Route 3, Box 68, Garnett, 66032. Term expires June 30, 2001. Reappointment.

**Lois E. Niemann**, 796 Greeley Road, Nortonville, 66060. Term expires June 30, 2001. Succeeds Roger Becker.

**Ron Thornburgh**  
Secretary of State

Doc. No. 019627



## State of Kansas

## Workforce Investment Partnership Council

## Notice of Meeting

The Kansas Workforce Investment Partnership Council will meet at 9:30 a.m. Friday, September 26, at the Ramada Inn Downtown, 420 E. 6th, Topeka. The meeting is open to the public.

Jack Strukel  
Chair

Doc. No. 019631

(Published in the Kansas Register September 11, 1997.)

## Summary Notice of Bond Sale

\$470,000

City of Kechi, Kansas

## General Obligation Internal Improvement Bonds

(General obligation bonds payable from  
unlimited ad valorem taxes)

## Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated August 14, 1997, of the City of Kechi, Kansas, in connection with the city's General Obligation Internal Improvement Bonds, Series A, 1997, hereinafter described, sealed, written bids shall be received at the office of the city clerk at City Hall, 200 W. Kechi Road, Kechi, KS 67067, until 7 p.m. Thursday, September 25, 1997, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date and at said time and shall thereafter be immediately considered and acted upon by the governing body of the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

## Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$470,000, and shall bear a dated date of October 1, 1997. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are

subject to redemption prior to their maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on April 1 and October 1 in each year, commencing April 1, 1999, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$25,000	2000
25,000	2001
25,000	2002
30,000	2003
30,000	2004
30,000	2005
30,000	2006
35,000	2007
35,000	2008
35,000	2009
40,000	2010
40,000	2011
45,000	2012
45,000	2013

## Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

## Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city is obligated to levy special assessment taxes in certain authorized amounts upon certain benefited properties and ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon. (Reference is made to the official notice of bond sale and the preliminary official statement for a complete discussion of security for the bonds.)

## Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Tuesday, October 14, 1997, at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

## Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)



**Financial Matters**

The city's current assessed valuation is as follows:

Assessed Valuation of Taxable	
Tangible Property	\$3,936,340
Motor Vehicle Valuation	\$ 692,838
Equalized Assessed Tangible	
Valuation for Computation of	\$4,629,178
Bonded Debt Limitations	

The city's outstanding general obligation bonded indebtedness at October 1, 1997, including the bonds described herein, will be in the principal amount of \$1,369,000. This amount does not include \$450,000 aggregate principal amount of outstanding temporary improvement notes, which will be redeemed and paid from the proceeds of the bonds described herein and other available funds.

**Official Statement**

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

**Continuing Disclosure**

Securities and Exchange Commission Rule 15c2-12, as amended effective July 3, 1995, provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

**Additional Information**

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below, or from the city's financial advisor, J. O. Davidson & Associates, Inc., 245 N. Waco, Suite 525, Wichita, KS 67202, (316) 265-9411.

Laura Hill, City Clerk  
City Hall  
200 W. Kechi Road  
P.O. Box 88  
Kechi, KS 67067  
(316) 744-9287

Doc. No. 019632

**State of Kansas****Statewide Independent Living Council****Notice of Hearings**

The Statewide Independent Living Council of Kansas (SILCK) will be conducting public hearings regarding the contents of the State Plan for Independent Living. The hearings will be from 3 to 5 p.m. Wednesday, October 1, and from 9:30 to 11:30 a.m. Friday, October 3, at the Holiday Inn, 6th and Fairlawn, Topeka. For further information, contact Sheila Nelson-Stout, Chairperson, at (913) 827-9383 (Voice/TT), or the SILCK office at 1-800-217-4525 (Voice/TT).

Shannon Jones  
Executive Director

Doc. No. 019633

**State of Kansas****Department of Health  
and Environment****Notice Concerning Kansas  
Water Pollution Control Permits**

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

**Public Notice No. KS-AG-97-211/214**

Name and Address of Applicant	Legal Description	Receiving Water
Irsik Feed Yard 050405 6 Road Ingalls, KS 67853	W/2and NE/4; W/2 of Section 33; 28, T24S, R30W, Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-C013 Federal Permit No. KS-0094099  
This is a new facility for 37,000 head (37,000 animal units) of beef cattle.  
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Farms, Inc. Farms #1 & #200 9000 W. 67th St. Shawnee Mission, KS 66201	NW/4 and SE/4 of Section 9, T27S, R43W, Stanton County	Cimarron River Basin
Kansas Permit No. A-CIST-H001	Federal Permit No. KS-0091278	
This is an expansion facility for 11,476 head (4,590 animal units) of swine.		

(continued)

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Farms, Inc. Farm #238 9000 W. 67th St. Shawnee Mission, KS 66201	SE¼ of Section 8, T30S, R40W, Stanton County	Cimarron River Basin

Kansas Permit No. A-CIST-H003      Federal Permit No. KS-0091774

This is an expansion facility for 7,200 head (2,880 animal units) of swine.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Farms, Inc. Farm #239 9000 W. 67th St. Shawnee Mission, KS 66201	SW¼ of Section 8, T30S, R40W, Stanton County	Cimarron River Basin

Kansas Permit No. A-CIST-H004      Federal Permit No. KS-0091782

This is an expansion facility for 7,200 head (2,880 animal units) of swine.

**Wastewater Control Facilities:** Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

**Compliance Schedule:** Existing controls meet KDHE requirements.

#### Public Notice No. KS-ND-97-047

Name and Address of Applicant	Legal Location	Type of Discharge
Northern Natural Gas Co. Macksville Comp. Station Route 1, Box 38A Macksville, KS 67557	NE¼, S12, T23S, R15W, Pawnee County	Nonoverflowing

Kansas Permit No. I-AR57-NO01

**Facility Description:** The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. Wastewater at this natural gas compressor station consisting of water softener regenerate, floor drains, and stormwater runoff is discharged to a one-cell double-lined lagoon with a leakage detection system. Uncontaminated discharge from building roof drains is directed to the surface away from the lined lagoon. Domestic wastewater from the office complex is directed to a septic tank lateral field. The average flow into this lagoon is about 4,000 gallons/month.

#### Public Notice No. KS-EG-97-019/027

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the wells described below within the State of Kansas.

Name and Address of Applicant	Well Location
North American Salt Co. c/o Larry Miller 1800 Carey Blvd. Hutchinson, KS 67501	
Well Identification #101 KS Permit No. KS-03-115-119	NE¼, SW¼, SE¼, S17, T23S, R5W, Reno County 1032' fsl and 1435' fel from SE corner of Section
Well Identification #102 KS Permit No. KS-03-155-120	NW¼, SE¼, SE¼, S17, T23S, R5W, Reno County 1032' fsl and 1129' fel from SE corner of Section

Well Identification #106      SW¼, SW¼, SE¼, S17, T23S, R5W, Reno County  
KS Permit No. KS-03-155-121      468' fsl and 2129' fel from SE corner of Section

Well Identification #108      SE¼, SW¼, SE¼, S17, T23S, R5W, Reno County  
KS Permit No. KS-03-155-122      468' fsl and 1523' fel from SE corner of Section

**Description:** The facility is a salt production plant. The injection fluids consist of fresh water and weak brine.

Name and Address of Applicant	Well Location
North American Salt Co. c/o Rich Hill P.O. Box 498 Lyons, KS 67554	
Well Identification #E90 KS Permit No. KS-03-159-113	SW¼, SE¼, NW¼, S14, T20S, R8W, Rice County 2750' fsl and 3450' fel from SE corner of Section
Well Identification #E91 KS Permit No. KS-03-159-114	NW¼, NE¼, SW¼, S14, T20S, R8W, Rice County 2250' fsl and 3450' fel from SE corner of Section
Well Identification #E92 KS Permit No. KS-03-159-115	NE¼, NE¼, SW¼, S14, T20S, R8W, Rice County 2500' fsl and 3200' fel from SE corner of Section
Well Identification #E93 KS Permit No. KS-03-159-116	SE¼, SE¼, NW¼, S14, T20S, R8W, Rice County 2750' fsl and 2950' fel from SE corner of Section
Well Identification #E94 KS Permit No. KS-03-159-117	NE¼, NE¼, SW¼, S14, T20S, R8W, Rice County 2250' fsl and 2950' fel from SE corner of Section

**Description:** The facility is a salt production plant. The injection fluids into E90, E91 and E92 consist of fresh water and weak brine. No injection shall occur into E93 and E94.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before October 11 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-97-211/214, KS-ND-97-047, KS-EG-97-019/027) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Gary R. Mitchell  
Secretary of Health  
and Environment

Doc. No. 019640

## State of Kansas

**Office of Judicial Administration**  
**Court of Appeals**  
**No Oral Argument Docket**

(The following cases have recently been submitted to a panel of judges and an opinion on each will be forthcoming.)

Before Pierron, P.J.; Royse and Knudson JJ.

July 3, 1997

Case No.	Case Name	Attorneys	County
78,879	State of Kansas, Appellee, v. Russell N. Bird, Appellant.	County Attorney Attorney General Lisa Nathanson	Kingman

Before Brazil, C.J.; Elliott and Rulon, JJ.

July 17, 1997

Case No.	Case Name	Attorneys	County
77,841	State of Kansas, Appellee, v. DeJuan L. Knight, Appellant.	District Attorney James Brent Getty	Shawnee
78,273	State of Kansas, Appellee, v. Walter Cunningham, Appellant.	District Attorney Lisa Nathanson	Wyandotte
76,705	State of Kansas, Appellee, v. John P. Papineau, Appellant.	District Attorney Attorney General Lisa Nathanson	Johnson
78,170	State of Kansas, Appellee, v. Alan Michael Garcia, Appellant.	County Attorney Ryan Kipling Elliot	Finney
77,187	Joshua K. Jones, Appellant, v. State of Kansas, Appellee.	Lisa Nathanson Attorney General District Attorney	Sedgwick
77,723	State of Kansas, Appellee, v. Reginald A. Thurman, Appellant.	District Attorney Attorney General Lisa Nathanson	Wyandotte
76,916	Timothy L. Monasmith, Appellant, v. State of Kansas, Appellee.	Hazel Haupt Attorney General County Attorney	Cowley
77,438	State of Kansas, Appellee, v. Kevin M. Watson, Appellant.	District Attorney Ryan Kipling Elliot	Johnson
77,788	State of Kansas, Appellee, v. Donald W. Estell, Jr., Appellant.	District Attorney James Brent Getty	Wyandotte
78,448	State of Kansas, Appellee, v. Oscar J. Evendorf, Jr., Appellant.	District Attorney Ryan Kipling Elliot	Shawnee
74,506	State of Kansas, Appellee, v. Majia Jawon Pattillo, Appellant.	District Attorney Attorney General Reid T. Nelson	Shawnee
77,148	State of Kansas, Appellee, v. Michael F. Sanchez, Appellant.	District Attorney Attorney General Lisa Nathanson	Johnson
76,890	State of Kansas, Appellee, v. Martha Beachy, Appellant.	County Attorney Attorney General Lisa Nathanson	Anderson

(continued)

77,890	State of Kansas, Appellee, v. Gerard F. Walker, Appellant.	District Attorney Lisa Nathanson	Wyandotte
78,068	State of Kansas, Appellee, v. Susie M. Thomas, Appellant.	District Attorney James Brent Getty	Sedgwick
77,710	State of Kansas, Appellee, v. Dana Minter, Appellant.	District Attorney James Brent Getty	Sedgwick
78,336	State of Kansas, Appellee, v. James E. Edwards, Appellant.	District Attorney Ryan Kipling Elliot	Shawnee
75,515	State of Kansas, Appellee, v. George A. Shamblyn, Appellant.	District Attorney Edward G. Collister, Jr.	Sedgwick
76,053	State of Kansas, Appellee, v. Richard J. Mallott, Appellant.	Attorney General Debra J. Wilson	Sedgwick
77,545	Terry D. Outland, Appellant, v. Michael A. Nelson, et al., Appellees.	Michael G. Coash Attorney General	Butler
76,693	State of Kansas, Appellee, v. Avery D. Peppers, Appellant.	District Attorney Attorney General Edward G. Collister, Jr.	Shawnee
76,821	State of Kansas, Appellee, v. Elmer R. Miller, Appellant.	District Attorney Attorney General Lisa Nathanson	Sedgwick
76,812	State of Kansas, Appellee, v. James E. King III, Appellant.	District Attorney Attorney General Ryan Kipling Elliot	Wyandotte

## Before Pierron, P.J.; Royse and Knudson, JJ.

August 8, 1997

Case No.	Case Name	Attorneys	County
78,482	State of Kansas, Appellee, v. David W. Trammell, Appellant.	District Attorney Attorney General Ryan Kipling Elliot	Sedgwick
78,327	Daniel Lynn Travers, Appellant, v. State of Kansas, Appellee.	James Brent Getty Attorney General District Attorney	Johnson
76,942	State of Kansas, Appellee, v. Gregory F. Hayes, Appellant.	District Attorney Attorney General James Brent Getty	Sedgwick
78,033	State of Kansas, Appellee, v. Brandon L. Haflich, Appellant.	County Attorney Attorney General Ryan Kipling Elliot	Finney
76,723	State of Kansas, Appellee, v. Jerry W. Tisdale, Appellant.	County Attorney Attorney General Lisa Nathanson	Pottawatomie
77,853	State of Kansas, Appellee, v. Guillermo A. Funes, Appellant.	District Attorney Attorney General Ryan Kipling Elliot	Sedgwick
76,899	State of Kansas, Appellee, v. Mark A. Clark, Appellant.	District Attorney Attorney General James Brent Getty	Sedgwick
77,790	State of Kansas, Appellee, v. Sergio A. Perez, Appellant.	District Attorney Attorney General James Brent Getty	Wyandotte

78,023	State of Kansas, Appellee, v. Jeremy Jones, Appellant.	District Attorney Attorney General Lisa Nathanson	Wyandotte
78,182	State of Kansas, Appellee, v. Kenneth R. Graf, Appellant.	District Attorney Attorney General Lisa Nathanson	Johnson
78,024	State of Kansas, Appellee, v. George D. Simmons, Jr., Appellant.	District Attorney Attorney General James Brent Getty	Johnson
77,834	State of Kansas, Appellee, v. James T. Labat, Appellant.	District Attorney Attorney General James Brent Getty	Sedgwick
77,996	State of Kansas, Appellee, v. Norman E. Devoe, Appellant.	District Attorney Attorney General Lisa Nathanson	Sedgwick
78,027	State of Kansas, Appellee, v. Timothy L. Grimes, Appellant.	District Attorney Attorney General Ryan Kipling Elliot	Sedgwick
77,971	State of Kansas, Appellee, v. Zachary David Nagy, Appellant.	District Attorney Attorney General James Brent Getty	Butler
77,972			
77,994	State of Kansas, Appellee, v. Vernon P. Thomas, Appellant.	District Attorney Attorney General Ryan Kipling Elliot	Sedgwick
78,009	State of Kansas, Appellee, v. Todd S. Anderson, Appellant.	District Attorney Attorney General Ryan Kipling Elliot	Shawnee
78,018			
77,991	State of Kansas, Appellee, v. Arthur A. Stennis, Appellant.	District Attorney Attorney General Lisa Nathanson	Douglas
77,992			
78,143	State of Kansas, Appellee, v. Henry Alberto Turcio, Appellant.	County Attorney Attorney General James Brent Getty	Finney
77,313	Roger McNeil Smith, Appellant, v. Michael A. Nelson, et al., Appellees.	Michael G. Coash	Butler
77,973	State of Kansas, Appellee, v. Carlos H. Smith, Appellant.	Julie Riddle District Attorney Attorney General Lisa Nathanson	Johnson

## Before Marquardt, P.J.; Gernon and Green, JJ.

August 11, 1997

Case No.	Case Name	Attorneys	County
78,272	State of Kansas, Appellee, v. John R. Carnes, Appellant.	District Attorney Ryan Kipling Elliot	Shawnee
77,094	State of Kansas, Appellee, v. James M. Price, Appellant.	County Attorney James Brent Getty	Ellis
78,167	State of Kansas, Appellee, v. James M. Armour, Appellant.	County Attorney James Brent Getty	Seward
77,935	State of Kansas, Appellee, v. Stephen M. Hampson, Appellant.	County Attorney James Brent Getty	Lyon

(continued)

77,851	State of Kansas, Appellee, v. James P. Brogan, Appellant.	County Attorney James Brent Getty	Lyon
78,213	State of Kansas, Appellee, v. David W. Trammell, Appellant.	District Attorney James Brent Getty	Wyandotte
77,293	State of Kansas, Appellee, v. Truman B. Collins, Appellant.	District Attorney Lisa Nathanson	Johnson
78,187	State of Kansas, Appellee, v. Kevin J. Mathiasen, Appellant.	District Attorney Lisa Nathanson	Sedgwick
78,246	Anthony D. Roach, Appellant, v. L.E. Bruce and State of Kansas, Appellees.	Lisa Nathanson County Attorney	Harvey
78,061	State of Kansas, Appellee, v. Joe Cavens, Appellant.	County Attorney Michael J. Helvey	Republic
77,970	State of Kansas, Appellee, v. Barry Martinez, Appellant.	County Attorney Ryan Kipling Elliot	Saline
77,983	State of Kansas, Appellee, v. Carlos H. Smith, Appellant.	District Attorney Lisa Nathanson	Johnson
78,090	State of Kansas, Appellee, v. Anderson D. Graves, Appellant.	District Attorney Ryan Kipling Elliot	Wyandotte
78,091	State of Kansas, Appellee, v. Richard L. Lawrence, Appellant.	District Attorney James Brent Getty	Sedgwick
77,714	State of Kansas, Appellee, v. Hershel R. Ritchie, Appellant.	District Attorney James Brent Getty	Sedgwick
77,962	State of Kansas, Appellee, v. Gregg E. McDougal, Appellant.	District Attorney Lisa Nathanson	Johnson
78,827	State of Kansas, Appellee, v. Juan Borrego, Appellant.	District Attorney Richard Hodson	Finney
76,382	Robert L. Evans, Appellant, v. State of Kansas, Appellee.	Julie A. Gorenc County Attorney	Lyon
77,296	Johnny E. Love, Appellant, v. State of Kansas, Appellee.	James Brent Getty District Attorney	Johnson
77,412	Archie Watkins, Appellant, v. Kansas Dept. of Corrections, Appellee.	Michael G. Coash Julie Riddle	Butler
77,826	State of Kansas, Appellee, v. Patrick L. Lee, Appellant.	District Attorney James Brent Getty	Sedgwick
77,283	State of Kansas, Appellee, v. Eldon V. Stillwill, Appellant.	District Attorney James Brent Getty	Sedgwick
78,335	State of Kansas, Appellee, v. James W. Tuttle, Appellant.	District Attorney James Brent Getty	Sedgwick

Carol G. Green  
Clerk of the Appellate Courts

## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of September 15 through September 28:

Date	Room	Time	Committee	Agenda
September 15	123-S	10:00 a.m.	Legislative Budget Committee	15th: KBI background checks for Tribal casinos.
September 16	123-S	9:00 a.m.		16th: Regents graduate assistants' health insurance; report on water litigation by Attorney General Stovall.
September 15	514-S	10:00 a.m.	Joint Committee on Economic Development	5th: Committee discussion and possible recommendations on seed and venture capital issues.
September 16	514-S	9:00 a.m.		16th: Presentations on tax increment financing.
September 17	514-S	10:00 a.m.	Task Force on the Kansas Insurance Industry	Hearings and task force discussion on economic development issues related to the insurance industry.
September 17	519-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	KPERS investment policy and asset allocation; litigation status report; proposed changes in KPERS law.
September 17	Kansas City	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Tour juvenile and adult correctional facilities; public hearings, Juvenile Justice Authority and Dept. of Corrections update.
September 18		9:00 a.m.		
September 18	526-S	10:00 a.m.	Joint Committee on Arts and Cultural Resources	18th: Legislative post audit on Kansas Arts Commission and agency response; FY 1999 budget request for the Arts Commission; hearings on arts and culture in education.
September 19	526-S	9:00 a.m.		19th: Continued hearings.
September 18	514-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
September 19	514-S	9:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
September 19	531-N	9:00 a.m.		
September 19	514-S	10:00 a.m.	Workers Compensation Fund Oversight Committee	Presentation by Shannon Krysl, former administrative law judge.
September 22	313-S	10:00 a.m.	Special Committee on Judiciary	22nd: Topic #3—SLAPPS.
September 23	313-S	10:00 a.m.		Topic #2—Militia.
September 23	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	23rd: Topic #4—Liens.
				Topic #7—Car Repairs.
September 23	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of proposed rules and regulations noticed for hearing by: Behavioral Sciences Regulatory Board, State Employees Health Care Commission, Dept. of Education, Kansas Insurance Dept. and KDHE. Also, staff review of rules and regulations filed permanently by various agencies.
September 22	519-S	10:00 a.m.	Legislative Educational Planning Committee	Agenda not available.
September 23	519-S	9:00 a.m.		
September 22	527-S	9:00 a.m.	Special Committee on Community College Governance	Agenda not available.
September 23	527-S	9:00 a.m.		
September 23	123-S	9:00 a.m.	Special Committee on Tourism	Agenda not available.
September 24	123-S	9:00 a.m.		
September 23	531-N	9:00 a.m.	Joint Committee on Computers and Telecommunications	Agenda not available.
September 24	531-N	9:00 a.m.		

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September 24	313-S	10:00 a.m.	Task Force on Retail Wheeling	Agenda not available.
September 25	313-S	9:00 a.m.		
September 24	514-S	10:00 a.m.	Special Committee on Education	Topic #2—School District Boundaries; a.m.-staff presentations; p.m.-hearings regarding Erie-St. Paul (USD 101).

Emil Lutz  
Director of Legislative  
Administrative Services

Doc. No. 019636

## State of Kansas

### Kansas Lottery

#### Temporary Administrative Regulations

#### Article 4.—INSTANT GAMES

##### "HEARTLAND PARK SEARS CRAFTSMAN DRAWINGS"

**111-4-607. Name of drawings.** The Kansas lottery shall conduct a series of drawings, entitled the "Heartland Park Sears Craftsman Drawings." The "Heartland Park Sears Craftsman Drawings" shall take place on Sunday, September 28, 1997, at Heartland Park, 7530 Southwest Topeka Boulevard, Topeka, Kansas 66619. Rules applicable are contained in K.A.R. 111-3-1 *et seq.* and 111-4-607 through 111-4-615. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-10-12-95, Aug. 18, 1995; amended, T-111-8-25-97, Aug. 15, 1997.)

**111-4-608. Prerequisites for a drawing.** Before the "Heartland Park Sears Craftsman Drawings" may be validly conducted, a location and the receptacle(s) or drum(s) must be approved by the executive director or his designee and the drawing must be open to the public. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-8-25-97, Aug. 15, 1997.)

**111-4-609. Prizes.** The winners selected at the "Heartland Park Sears Craftsman Drawings" conducted pursuant to the K.A.R. 111-4-607 *et seq.* shall receive prizes as follows.

Twelve tickets shall be drawn consecutively, immediately prior to the finals. Prizes shall be determined by the winning driver's speed in each of the twelve different classes with the winning dollar amount representing the actual speed of the winning driver with the minimum and maximum dollar amounts as follows:

Class	Minimum Dollar Amount	Maximum Dollar Amount
Top Fuel Dragster	225	325
Top Fuel Funny Car	225	325
Pro Stock	125	225
Top Alcohol Dragster	175	275
Top Alcohol Funny Car	175	275
Competition Eliminator	125	225
Super Stock	75	175
Stock Eliminator	50	150
Super Street	50	150
Super Gas	75	175

Super Comp	100	200
Motorcycle	100	200

All prize awards are subject to lottery validation, set-offs and deductions provided by law. (Authorized by and implementing K.S.A. 74-8710, as amended by L. 1995, Chapter 261, §1; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-8-25-97, Aug. 15, 1997.)

**111-4-610. Entry into drawings.** Entry into the "Heartland Park Sears Craftsman Drawings" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid Kansas instant lottery ticket from the lottery's selling location at Heartland Park Topeka;

(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the "Heartland Park Sears Craftsman Drawings," and shall be redeemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket purchased at the Heartland Park selling location, the ticket is eligible for winning a drawing and the holder of the ticket may enter the "Heartland Park Sears Craftsman Drawings."

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner and sign it.

(e) The holder of the ticket need not be present to win at the time of the "Heartland Park Sears Craftsman Drawings."

(f) There is no limit to the number of entries a participant may make.

(g) For the racing events occurring on September 25, 26, 27 and 28, 1997, the receptacle(s) or drum(s) shall be open during lottery selling hours.

(h) The holder of a non-winning ticket must take each non-winning ticket with the information form on the back completed, to the location of the receptacle(s) or drum(s) at the "Heartland Park Sears Craftsman Drawings" and place it in the receptacle(s) or drum(s) provided by the lottery.

(i) On Sunday, September 28, 1997, the Kansas lottery will sponsor its "Heartland Park Sears Craftsman Drawings." Players enter the drawings by placing non-winning tickets purchased at Heartland Park Topeka into the receptacle(s) or drum(s) located near the lottery's selling location in the pit area next to the souvenir shop. Twelve tickets will be drawn from the contents of the receptacle(s) or drum(s). Following validation by lottery security personnel, the winners' names shall be announced.

(j) Drawings shall be held by the lottery selling location on the east side of the track in the pit area next to the souvenir shop.

(k) Anyone wishing to purchase the lottery tickets to enter the Heartland Park Sears Craftsman Drawings without buying a ticket to the races may do so by making a request for lottery tickets at the Heartland Park ticket office. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-26-94, Aug. 19, 1994; amended, T-111-10-12-95, Aug. 18, 1995; amended, T-111-8-25-97, Aug. 15, 1997.)

**111-4-881. Determination of "State Fair Drawings" winners.** (a) At least 10 minutes before the drawings, the co-sponsor or person designated by the executive director, shall announce to the audience the time that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) Prior to sealing the receptacle or drum, the co-sponsor or person designated by the executive director shall announce that entries into the "State Fair Drawings" are closed. No further entries will be accepted.

(c) All non-winning tickets placed in receptacles or drums at the locations identified in subsection (a)(5) and (6) of K.A.R. 111-4-880 shall be under the supervision of the lottery security personnel present prior to each "State Fair Drawing."

(d) Daily drawings shall be conducted only from valid entries placed in the receptacle or drum at the state fair lottery location. After the first daily drawing, subsequent daily drawings shall be drawn from entries received from the close of each daily drawing until the close of the next daily drawing. Following each daily drawing, lottery security shall remove all entries for the just completed drawing from the receptacle, and retain custody of the tickets until they can be destroyed.

(e) The receptacle or drum shall be sealed and rotated a minimum of 10 times or mixed thoroughly with a shovel for two minutes by lottery security personnel present to ensure random selection.

(f) The executive director shall designate one individual of his choice to participate in the selection process.

(g) The selection of "State Fair Drawings" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, while looking away from the receptacle and removing only one ticket from the receptacle in which all entries were placed. The lottery security officer present and the lottery draw manager shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. Lottery security shall determine whether the name on the ticket is legible and whether the ticket is valid. This process shall be repeated until five valid entries have been drawn.

(h) The named person is not required to be present in order to win the "State Fair Drawings" prizes described in K.A.R. 111-4-879. The security person conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn and its validity.

(i) The five persons whose tickets have been drawn from the receptacle or drum and who meet the entry and validation requirements at each drawing shall be determined "State Fair Drawings" winners.

(j) Each winner shall be given a prize claim form to be completed and returned to the lottery.

(k) If the name on any ticket drawn is not legible or there is insufficient information on the information form, the ticket drawn will be void and the selection process shall be repeated until a valid ticket eligible for the drawings identified in K.A.R. 111-4-877 is selected.

(l) After five tickets have been drawn for each daily drawing, five additional tickets shall be drawn and given to lottery security to hold as alternates designated as 1A, 1B, 1C, 1D, and 1E in the event any of the tickets previously drawn do not meet entry or validation requirements or the prize winners cannot be located by telephone or United States mail within 30 days of the drawing. The alternate tickets, if used, will be utilized in order drawn. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-7-22-96, July 19, 1996; amended, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1048. Definitions.** The following definitions shall apply to the "Money Tree" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 10 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: FREE - \$1.<sup>00</sup> - \$2.<sup>00</sup> - \$3.<sup>00</sup> - \$5.<sup>00</sup> - 10.<sup>00</sup> - 50.<sup>00</sup> - \$100\$ - \$500 - 1 - 2 - 3 - 4 - 5 - 7 - 8 - 9 - symbol of a tree.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
Free ticket	FREE
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
50. <sup>00</sup>	FIFTY
\$100\$	HUNDRED
\$500	FIVHUN
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
7	SEV
8	EGT
9	NIN
Symbol of a tree	TREE

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate

(continued)

winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: FRE = free ticket; ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FIV = \$5.00; TEN = \$10.00; FTYN = \$15.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-11-97, July 18, 1997; amended, T-111-8-25-97, Aug. 15, 1997.)

#### 10TH ANNIVERSARY SECOND CHANCE DRAWINGS

**111-4-1060. Name of drawings.** (a) The Kansas lottery shall conduct drawings entitled "10th Anniversary Second Chance Drawings" and will accept entries on and after August 25, 1997. The drawings will take place on Friday, November 14, 1997, at 10:00 a.m.

(b) The "10th Anniversary Second Chance Drawings" shall be held at lottery headquarters, 128 North Kansas Avenue, Topeka, Kansas.

(c) The rules and regulations for the "10th Anniversary Second Chance Drawings" are contained in K.A.R. 111-4-1060 through 111-4-1066 and applicable generic rules are contained in K.A.R. 111-3-1 *et seq.* (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1061. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "10th Anniversary Second Chance Drawings" means the acts of drawing prizes conducted by the Kansas lottery in which participants are selected to win various prizes as described in K.A.R. 111-4-1062.

(c) "Non-winning ticket" means any valid non-winning "10th Anniversary" instant game lottery ticket.

(d) "Drum" means a container into which non-winning Kansas instant game lottery tickets are placed and from which the "10th Anniversary Second Chance Drawings" are made. Drums shall be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the

drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a non-sleeve shirt which exposes the drawer's bare arm. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, August 15, 1997.)

**111-4-1062. Prizes.** (a) The first 10 valid non-winning "10th Anniversary" instant ticket entries drawn will entitle the person named on each ticket to \$10,000.

(b) The next 10 valid non-winning "10th Anniversary" instant ticket entries drawn, after the first 10 valid entries have been selected, shall entitle the person named on each ticket to \$1,000.

(c) The next 100 valid non-winning "10th Anniversary" instant ticket entries drawn shall entitle the person named on each ticket to \$100. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1063. Method of entry.** Entry into the "10th Anniversary Second Chance Drawings" is accomplished as follows:

(a) Obtain a valid Kansas "10th Anniversary" instant lottery ticket.

(b) Determine if the ticket is a winning ticket in accordance with specific game rules. If the ticket is a winning ticket, it is not eligible for the "10th Anniversary Second Chance Drawings" and shall be redeemed in accordance with the instant game rules.

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning the drawing and the holder of the ticket may enter the "10th Anniversary Second Chance Drawings."

(d) The holder of the non-winning ticket must complete the information form on the back of each ticket in the entry envelope in a legible manner. In the event more than one name appears on an entry ticket, the first name appearing on a single ticket if multiple names appear on one ticket shall be the only person eligible to win a prize pursuant to subsection (b) of K.S.A. 74-8720.

(e) Place one valid non-winning "10th Anniversary" game ticket into an envelope no larger than 4 3/4 inches by 11 inches in size and mail it to: "Kansas Lottery 10th Anniversary Drawings," P.O. Box 7777, Lawrence, Kansas, 66044-7777. Entries in envelopes of a larger size and envelopes containing more than one non-winning ticket shall be ineligible for the drawings and shall be destroyed by lottery security.

(f) There is no limit on the number of entries a person may make.

(g) All entries which are mailed and received by the morning mail pickup in Lawrence, Kansas, on Monday, November 10, 1997, shall be entered into the 10th Anniversary Second Chance Drawings."

(h) Only valid entries mailed and received by the morning mail pickup in Lawrence, Kansas, as specified in subsection (g) will be eligible for the drawings.

(i) Eligible entrants in any drawing must be 18 years of age or older.

(j) Completing the information form on a valid non-winning "10th Anniversary" game ticket in each envelope and entering the envelope into the drawing constitutes authorization to publicly identify the person whose entry is drawn.

(k) No player can win more than one prize in the "10th Anniversary Second Chance Drawings." (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1064. Certification of drawings.** (a) The "10th Anniversary Second Chance Drawings" shall be personally observed by a member of the Kansas lottery division of security and the lottery draw manager.

(b) Upon completion of the drawing, the security official and the draw manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710(b); effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1065. Selection of winners.** The following process shall be used for the selection of winners in the "10th Anniversary Second Chance Drawings":

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Lottery 10th Anniversary Second Chance Drawings" envelopes at the United States Post Office in Lawrence, Kansas. The entries for the 10:00 a.m., Friday drawing on November 14, 1997, will be picked up by approximately 12:00 noon on Monday, November 10, 1997.

(b) Lottery personnel shall transport the mail to the mail room where the entry envelopes will be retained in mail trays and turned over to lottery security personnel to place in a secure location at the lottery until the time of the drawings.

(c) The drawings shall be held at lottery headquarters in a place assessable to the public and open for public attendance with lottery security personnel present. The drawings shall be audio and video taped.

(d) At the start of the drawings, lottery security personnel shall present the mail trays, each containing approximately the same number of entries, to the person designated by the executive director to perform the drawings. Using the bare-arm technique, the person designated to perform the drawings shall insert a plastic divider into each mail tray between the entry envelopes and pull the envelope which is either behind or to the right side of the divider and place it in the drum. This procedure shall be repeated until five entry envelopes have been pulled from each mail tray and placed in the drum. If there are less than 20 mail trays, 10 entries will be pulled from each mail tray.

(e) Immediately following the placement of entry envelopes into the drum and prior to each drawing, the drum shall be sealed and the contents mixed by rotating the drum 10 times.

(f) The designated individual shall then unseal the drum, and using the bare-arm technique, while looking away from the drum, remove one envelope from the drum. This procedure shall be repeated until 10 valid entries are drawn. The first 10 valid entries drawn with legible names and addresses on the information form shall be winners of \$10,000.

(g) After the first 10 legible entries have been drawn, 10 more legible entries will then be drawn in the same manner as in subsection (f) for prizes of \$1,000.

(h) After the \$10,000 and \$1,000 winners have been drawn and certified, 100 more legible entries will be

drawn for prizes of \$100. All tickets drawn shall be subject to the validation requirements of the "10th Anniversary Second Chance Drawings" rules.

(i) After the 120 entries have been drawn, 20 more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn from 1A through 20A. The alternate entries will be used only if the original winners are declared ineligible. In the event any of the tickets previously drawn do not meet the validation requirement of the "10th Anniversary Second Chance Drawings" rules, alternate tickets will be utilized in the order drawn. If alternate tickets are utilized, previously drawn winners will move up in the order drawn to claim the prize for which the disqualified ticket holder was not entitled. Alternate entries, if needed, shall move into the \$100 prize category.

(j) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "10th Anniversary Second Chance Drawings" in accordance with these regulations. If it is a valid non-winning "10th Anniversary" instant ticket entry and the name and address on the information form on the valid non-winning ticket in the envelope is legible, the draw manager and the security person shall record the name of the winner and the winner shall be promptly notified via U.S. mail.

(k) If any entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(l) The person whose name appears on the ticket in the entry envelope drawn shall win the prize identified in K.A.R. 111-4-1062, subject to validation by the lottery as set forth in these rules.

(m) All "10th Anniversary Second Chance Drawings" entries remaining in the drum following the drawings, after the winners have been selected and certified, shall be destroyed. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710(b); effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1066. Rights of participants.** Any ticket entered into the "10th Anniversary Second Chance Drawings" is disqualified from any other Kansas lottery prize. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710(d); effective, T-111-8-25-97, Aug. 15, 1997.)

#### RULES FOR INSTANT GAME NO. 25 "ROLL FOR RICHES"

**111-4-1067. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Roll for Riches" commencing on or after August 18, 1997. The specific rules for the "Roll for Riches" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1067 through 111-4-1070. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1068. Definitions.** The following definitions shall apply to the "Roll for Riches" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game

(continued)

ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of nine play spots within the play area. Each game symbol for this instant game is one of the following: 1 - 2 - 3 - 4 - 5 - 6 - FREE - \$1.00 - \$2.00 - \$3.00 - \$5.00 - 10.00 - 15.00 - 20.00 - 30.00 - \$500\$ - \$1500.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
Prize Symbol	Prize Symbol Caption
FREE	TICKET
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THRE\$
\$5.00	FIVE\$
10.00	TEN\$
15.00	FIFTEEN
20.00	TWENTY
30.00	THIRTY
\$500\$	FIVE-HUN
\$1500	15-HUN

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: FRE = FREE TICKET; ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FIV = \$5.00; SIX = \$6.00; TEN = \$10.00; FTN = \$15.00; TWY = \$20; TRY = \$30.00; SXY = \$60.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1069. Determination of instant prize winners.** An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the three "Rolls." This ticket will feature three separate chances to win. Each chance will consist of two numbers, each of which represents one of six digits found on a dice, and a prize amount.

The ticket player will remove the scratch-off material to reveal two dice numbers and a prize for each roll. If the total of the two dice numbers equals exactly seven or 11 for any roll, the player wins the prize amount revealed when the "PRIZE" block is uncovered for that roll. If the player reveals a "Hard 6" (3 + 3), the player wins double for that roll.

Winning tickets can win once, twice or three times. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1070. Number and value of instant prizes.** (a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	180,000	\$ 0
\$1.00	30,000	30,000
\$2.00	72,000	144,000
\$3.00	48,000	144,000
\$5.00	15,600	78,000
\$6.00	12,000	72,000
\$10.00	18,000	180,000
\$15.00	4,200	63,000
\$20.00	6,000	120,000
\$30.00	2,700	81,000
\$60.00	54	3,240
\$500.00	12	6,000
\$1500.00	10	15,000
	<u>388,576</u>	<u>\$936,240</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.63.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-8-25-97, Aug. 15, 1997.)

#### RULES FOR INSTANT GAME NO. 32 "CASH COW"

**111-4-1071. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Cash Cow" commencing on or after August 18, 1997. The specific rules for the "Cash Cow" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1071 through 111-4-1074. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1072. Definitions.** The following definitions shall apply to the "Cash Cow" instant lottery game:



(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: FREE - \$2.<sup>00</sup> - \$4.<sup>00</sup> - 10.<sup>00</sup> - 20.<sup>00</sup> - 40.<sup>00</sup> - \$500\$ - symbol of 01¢ - symbol of 05¢ - symbol of 10¢ - symbol of 25¢ - symbol of 50¢.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Prize Symbol	Prize Symbol Caption
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$4. <sup>00</sup>	FOUR\$
10. <sup>00</sup>	TEN\$
20. <sup>00</sup>	TWENTY
40. <sup>00</sup>	FORTY
\$500\$	FIVE-HUN
Play Symbol	Play Symbol Caption
Symbol of 01¢	PENNY
Symbol of 05¢	NICKEL
Symbol of 10¢	DIME
Symbol of 25¢	QUARTER
Symbol of 50¢	HALF

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of five varying locations among the game symbols. The codes and their meanings are as follows: FRE = free ticket; TWO = \$2.00; FOR = \$4.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1073. Determination of instant prize winners.** An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal five play symbols and one prize symbol. If the five coins add up to \$1.00 or more, the player wins the prize

in the prize box. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1074. Number and value of instant prizes.**

(a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	216,000	\$ 0
\$2	72,000	144,000
\$4	42,000	168,000
\$10	12,000	120,000
\$20	7,200	144,000
\$40	6,600	264,000
\$500	150	75,000
	<u>355,950</u>	<u>\$915,000</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.06.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-8-25-97, Aug. 15, 1997.)

**RULES FOR INSTANT GAME No. 97  
"CASINO NIGHTS"**

**111-4-1075. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Casino Nights" commencing on or after August 18, 1997. The specific rules for the "Casino Nights" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1075 through 111-4-1079. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1076. Definitions.** The following definitions shall apply to the "Casino Nights" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in each of the four play areas of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 10 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of the six play spots within each of the four play areas. Each game symbol for this instant game is one of the following: \$1.<sup>00</sup> - \$2.<sup>00</sup> - \$4.<sup>00</sup> - \$5.<sup>00</sup> - 10.<sup>00</sup> - 20.<sup>00</sup> - \$40.<sup>00</sup> - \$100 - \$1000 - \$21000 - 10 - 11 - 12 - 13 - 14 - 15 - 16 - 17 - 18 - 19 - 20 - 21 - symbol of a bell - symbol of a pear - symbol of a lemon - symbol of an apple - symbol of a bunch of cherries - symbol of a horseshoe - symbol of a star - symbol of a pot of gold - symbol of a bar of gold.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

(continued)

Prize Symbol	Prize Symbol Caption
\$1.00	ONE\$
\$2.00	TWO\$
\$4.00	FOUR\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY
\$40.00	FORTY
\$100	HUNDRED
\$1000	ONE-THOU
\$21000	21-THOU

Play Symbol	Play Symbol Caption
10	TEN
11	ELVN
12	TWLV
13	THTN
14	FRTN
15	FFTN
16	SXTN
17	SVTN
18	EGTN
19	NITN
20	TWTY
21	TWYONE
Symbol of a bell	BELL
Symbol of a pear	PEAR
Symbol of a lemon	LEMON
Symbol of an apple	APPLE
Symbol of a bunch of cherries	CHER
Symbol of a horseshoe	HSHOE
Symbol of a star	STAR
Symbol of a pot of gold	GOLD
Symbol of a bar of gold	BAR

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the latex covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket both below the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three letter code printed and appearing in three of six varying locations among the game symbols in each of the 16 play areas. The codes and their meanings are as follows: TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; TEN = \$10.00 TWY = \$20.00; TRY = \$30.00; FRY = \$40.00; HUN = \$100.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1077. Cost of ticket.** The price of "Casino Nights" instant tickets sold by a retailer shall be \$2.00

each. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1078. Determination of instant prize winners.** An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play areas to reveal 20 play symbols and four prize symbols. In games 1, 2, 3, and 4, if "YOUR HAND" is greater than the "DEALER'S HAND," the player wins the prize for that hand. In spins 1, 2, 3, and 4, if three identical symbols are revealed, the player wins the prize indicated on the legend on the ticket front. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1079. Number and value of instant prizes.** (a) There will be approximately 1,500,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	\$2	60,000	\$ 120,000
\$2 (\$1 + \$1)	\$2	95,000	190,000
\$4	\$4	10,000	40,000
\$4 (\$2 + \$2)	\$4	30,000	120,000
\$4 (\$2 + \$1 + \$1)	\$4	50,000	200,000
\$5	\$5	10,000	50,000
\$5 (\$2 + \$1 + \$1 + \$1)	\$5	30,000	150,000
\$5 (\$1 + \$1 + \$1 + \$1 + \$1)	\$5	25,000	125,000
\$10	\$10	2,500	25,000
\$10 (\$5 + \$5)	\$10	2,500	25,000
\$10 (\$2 + \$2 + \$2 + \$2 + \$2)	\$10	2,500	25,000
\$10 (\$5 + \$1 x 5)	\$10	10,000	100,000
\$10 (\$4 x 2 + \$1 x 2)	\$10	7,500	75,000
\$20	\$20	2,500	50,000
\$20 (\$4 + \$4 + \$4 + \$2 + \$2 + \$2 + \$2)	\$20	8,000	160,000
\$20 (\$2 x 5 + \$4 x 2 + \$2)	\$20	3,750	75,000
\$20 (\$10 x 2)	\$20	3,750	75,000
\$30 (\$10 + \$10 + \$10)	\$30	750	22,500
\$30 (\$5 + \$5 + \$5 + \$5 + \$5 + \$5)	\$30	375	11,250
\$40	\$40	100	4,000
\$40 (\$4 x 5 + \$10 x 2)	\$40	200	8,000
\$40 (\$10 x 4)	\$40	50	2,000
\$100	\$100	75	7,500
\$100 (\$20 + \$20 + \$20 + \$20 + \$20)	\$100	50	5,000
\$100 (\$10 x 6 + \$40)	\$100	45	4,500
\$100 (\$40 x 2 + \$20)	\$100	25	2,500
\$1,000	\$1,000	15	15,000
\$21,000	\$21,000	5	105,000
<b>TOTAL</b>		<b>354,690</b>	<b>\$1,792,250</b>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.23.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1996 Supp. 74-8710(b), (c) and (f); effective, T-111-8-25-97, Aug. 15, 1997.)



# **RULES FOR INSTANT GAME NO. 26** **"WILD CASH"**

**111-4-1080. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Wild Cash" commencing on or after October 13, 1997. The specific rules for the "Wild Cash" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1080 through 111-4-1083. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1081. Definitions.** The following definitions shall apply to the "Wild Cash" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink 10 point WGI Cap font. A game symbol appears in each of number play spots within the play area. Each game symbol for this instant game is one of the following: 1 - 2 - 3 - 4 - 5 - 7 - 8 - 9 - image of a W in a circle - FREE - \$1.<sup>00</sup> - \$2.<sup>00</sup> - \$3.<sup>00</sup> - \$5.<sup>00</sup> - 10.<sup>00</sup> - 50.<sup>00</sup> - \$100\$ - \$500.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
7	SEV
8	EGT
9	NIN
Prize Symbol	Prize Symbol Caption
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$5. <sup>00</sup>	FIV\$
10. <sup>00</sup>	TEN\$
50. <sup>00</sup>	FIFTY
\$100\$	HUNDRED
\$500	FIVHUN
Image of W in a circle	WILD

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is the 11-digit number which appears below the game symbols under the latex covering on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the player's name and address and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each

instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of five positions among the game symbols in the play area. The codes and their meanings are as follows: FREE = Free Ticket; ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing near the bottom on the back of each ticket. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710; effective, T-111-8-25-97, Aug. 15, 1997.)

**111-4-1082. Determination of instant prize winners.** An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering play area to reveal one "Wild Cash Number" and five "Your Lucky Numbers" and five prize amounts, which will be shown under each of "Your Lucky Numbers." This is a key number match game. If the "Wild Cash Number" matches any of "Your Lucky Numbers" the player wins the amount shown below that match. If a wild symbol is found in any of the "Your Lucky Numbers" spots, the player wins the prize shown automatically. Players may win up to five times on a single ticket. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and 74-8720; effective T-111-8-25-97, Aug. 15, 1997.)

**111-4-1083. Number and value of instant prizes.**

(a) There will be approximately 1,800,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	180,000	\$0
\$1	150,000	150,000
\$2	72,000	144,000
\$3	42,000	126,000
\$5	21,000	105,000
\$10	10,500	105,000
\$15	6,000	90,000
\$20	4,800	96,000
\$50	1,008	50,400
\$100	174	17,400
\$500	78	39,000
TOTAL	487,560	\$922,800

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 3.69.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1996 Supp. 74-8710; implementing K.S.A. 1996 Supp. 74-8710 and 74-8720; effective, T-111-8-25-97, Aug. 15, 1997.)

## **Article 5.—POWERBALL**

**111-5-62. Selection of winners.** The following process shall be used for the selection of winners in the "Powerball Explorer Drawings":

(continued)

(a) Kansas lottery personnel shall pick up all mail containing "Powerball Explorer Drawings" envelopes at the United States Post Office in Topeka, Kansas, at the morning mail pickups on the Thursdays immediately preceding the Fridays of each drawing specified in K.A.R. 111-5-58. The entries for the final drawings on September 14, 1997, will be picked up at the Topeka post office in the morning mail pickup on Wednesday, September 10, 1997.

(b) For the first four drawings, lottery personnel shall transport the mail to the mail room where the entry envelopes will be retained in mail trays.

(c) The first four drawings shall be held at 10:00 a.m. at the lottery headquarters in a place accessible to the public and open for public attendance with lottery security personnel present. The final drawing shall be held at the Kansas state fair lottery building and shall be open to the public with lottery security personnel present. The drawings shall be audio and video taped.

(d) At the start of each Friday drawing, lottery security personnel shall present the mail trays, each containing approximately the same number of entries, to the person designated by the executive director to perform the drawing. Using the bare-arm technique, the person designated to perform the drawing shall insert a plastic divider into each mail tray between the entry envelopes and pull the envelope which is either behind or to the right side of the divider and place it in the drum. This procedure shall be repeated until 10 entry envelopes have been pulled from each mail tray and placed in the drum.

(e) Immediately following the placement of entry envelopes into the drum and prior to each drawing, the drum shall be sealed and the contents mixed by rotating the drum 10 times.

(f) The designated individual shall then unseal the drum, and using the bare-arm technique, while looking away, remove one envelope from the drum. The person whose name appears on the entry shall be the winner of the prize identified in K.A.R. 111-5-59, subject to validation by the lottery as set forth in these rules.

(g) After the envelope has been drawn and the entry has been verified as valid and marked "grand prize," 13 more entries will be drawn, one at a time. The first 10 valid entries drawn will receive a secondary prize of \$1,000. The last three entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, and 3A and marked with the draw date. The alternate coupon entries will be used only if the original winners cannot be located or are declared ineligible. In the event the grand prize winning entry is disqualified or the winner cannot be located or notified within 30 days of the drawing, the second winning entry drawn will be declared the grand prize winner. Each of the remaining winners will move up one position in the order drawn to include the first alternate entry as a \$1,000 winner.

(h) Following the morning mail pickup on Wednesday, September 10, 1997, the mailed entries will be opened by lottery personnel and placed in a secure receptacle or drum to be transported to the state fair lottery

building and deposited into the draw receptacle or drum. At the final drawing on Sunday, September 14, 1997, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, the receptacle or drum shall be sealed and the contents mixed by rotating the drum 10 times, if a drum is used, or by mixing the contents with a shovel or by other means for at least three minutes if another type receptacle is used.

(i) The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove a single entry from the receptacle or drum. The person whose name appears on the entry shall be the winner of the prize identified in K.A.R. 111-5-59, subject to validation by the lottery as set forth in these rules.

(j) After a single entry has been drawn and the entry has been verified as valid, 13 more entries will be drawn, one at a time. The first 10 valid entries drawn will receive a secondary prize of \$1,000. The last three entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, and 3A, and marked "final draw date." The alternate coupon entries will be used only if the original winners cannot be located or are declared ineligible. In the event the grand prize winning entry is disqualified or the winner cannot be located or notified within 30 days of the drawing, the second winning entry drawn will be declared the grand prize winner. Each of the remaining winners will move up one position in the order drawn to include the first alternate entry as a \$1,000 winner.

(k) The Kansas lottery security official present shall review each coupon drawn to determine the validity of the entry into the "Powerball Explorer Drawings" in accordance with these regulations. If it is a valid entry coupon and the name is legible and sufficient information is completed on the back of the entry, the event manager and the security person shall record the name of the winners and the winners shall be promptly notified.

(l) If the entry coupon is determined to be ineligible, it shall be discarded by the security person present and another coupon drawn. This procedure will be repeated until valid selections are obtained.

(m) All "Powerball Explorer Drawings" coupons remaining in the drum or receptacle after the winner has been selected and certified shall be destroyed after each drawing.

(n) Entry coupons are eligible for only one drawing.

(o) Grand prize winners will be eligible to win only one grand prize in the "Powerball Explorer Drawings."

(p) All "Powerball Explorer Drawings" coupons remaining in the drum or receptacle on September 14, 1997, after the winner has been selected and certified, shall be destroyed. (Authorized by and implementing K.S.A. 1996 Supp. 74-8710(b); effective, T-111-6-11-97, May 16, 1997; amended, T-111-8-25-97, Aug. 15, 1997.)

Gregory P. Ziemak  
Executive Director

Doc. No. 019623

## State of Kansas

## Social and Rehabilitation Services

Permanent Administrative  
Regulations

## Article 4.—PUBLIC ASSISTANCE PROGRAM

**30-4-39. Responsibilities of applicants and recipients.** Each applicant or recipient shall meet these requirements: (a) Supply, insofar as the applicant or recipient is able, information essential to the establishment of eligibility;

(b) give written permission for release of information regarding resources, when needed;

(c) cooperate with the agency in establishing the paternity of a child born out-of-wedlock for whom assistance is claimed, and in obtaining support payments for the applicant or recipient and for any child for whom assistance is claimed, or in obtaining any other payments or property due the applicant or recipient or any child for whom assistance is claimed; and

(d) meet each applicant's or recipient's own needs insofar as that individual is capable.

This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c, K.S.A. 39-719b; effective May 1, 1981; amended May 1, 1982; amended May 1, 1984; amended May 1, 1986; amended Oct. 1, 1997.)

**30-4-40. Agency responsibility to applicants and recipients.** (a) On the request of any applicant or recipient, the applicant's or recipient's rights and responsibilities shall be explained by the agency.

(b) Each applicant and recipient shall be informed of the following requirements placed upon the agency.

(1) Periodic redeterminations. Periodic redeterminations of eligibility shall be made if the application is approved.

(2) Fraud. Any fraudulent application for or receipt of assistance shall be investigated and referred for legal action.

(3) Public list. A public list of cash recipients of GA, which shall be limited to name, address, and amount of cash assistance received, shall be prepared and maintained.

(4) Release of confidential information. Unless otherwise prohibited by law, confidential information shall be released by the agency when the release is directly related to one of these duties:

(A) The administration of the public assistance program;

(B) an investigation or criminal or civil proceeding being conducted in connection with the administration of the program;

(C) the reporting of a fugitive felon's address to local and state law enforcement officials. Such a report shall be made only when the law enforcement official furnishes the recipient's name and social security number and satisfactorily demonstrates that the individual is a fugitive felon, that the location or apprehension of the fugitive felon is within the law enforcement officer's official duties, and that the request is made in the proper exercise of those duties;

(D) the reporting of an applicant's or recipient's intention to commit a crime to the appropriate law enforcement officials;

(E) release of confidential information concerning TAF and foster care applicants and recipients under certain circumstances as required under 42 U.S.C.A. 602(a)(9); or

(F) the reporting to the immigration and naturalization service of the name, address, and other identifying information of any individual who the agency knows is residing unlawfully in the United States.

(c) This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c; effective May 1, 1981; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended May 1, 1987; amended March 1, 1997; amended Oct. 1, 1997.)

**30-4-52. Act in own behalf.** (a) Emancipated minor. "Emancipated minor" means a person who is age 16 or 17 and who is or has been married, or a person who is under the age of 18 and who has acquired the rights of majority through court action.

(b) Ability to act on own behalf. Each applicant or recipient shall be legally capable of acting on that individual's own behalf. Incapacitated persons or minors shall not be eligible to receive assistance unless a caretaker applies for assistance on that person's behalf. Emancipated minors shall be eligible to receive assistance on their own behalf. Unemancipated minors shall not be deemed capable of acting on their own behalf and must reside with a caretaker in order to be eligible for assistance, except when one of the following conditions exists.

(1) The minor has no parent who is living or whose whereabouts are known, and there is no other caretaker who is willing to assume parental control of the minor.

(2) The health and safety of the minor has or would be jeopardized by remaining in the household with the minor's parents or other caretakers.

(c) This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c and K.S.A. 1996 Supp. 39-709; effective May 1, 1981; amended May 1, 1984; amended Jan. 4, 1993; amended Oct. 1, 1993; amended March 1, 1997; amended Oct. 1, 1997.)

**30-4-70. Eligibility factors specific to the TAF program.** To be eligible for TAF, each applicant or recipient shall meet the applicable general eligibility requirements of K.A.R. 30-4-50 and the specific eligibility requirements set forth below.

(a)(1) Child in family. To be eligible for TAF, the applicant's or recipient's family group shall include at least one eligible child. If the only child in the family group is an SSI recipient, the family group may qualify for assistance.

(2) For purposes of this regulation, "child" means a child who meets either of these requirements:

(A) is under the age of 18, including an unborn child; or

(B) is age 18 and in secondary school or working towards the attainment of a GED.

(b) Living with a caretaker. For the family group to be eligible for TAF, the eligible child or children shall be residing with one or more of these individuals:

(continued)

(1) any blood relative who is within the fifth degree of kinship to the child, including any of the following relatives:

- (A) parents;
- (B) siblings;
- (C) nephews;
- (D) nieces;
- (E) aunts;
- (F) uncles; and

(G) persons of preceding generations who may be denoted by prefixes of grand, great, great-great, or great-great-great;

(2) a stepfather, stepmother, stepbrother, or stepsister;

(3) a legally adoptive parent or parents or another relative or relatives of adoptive parents as noted in paragraphs (1) or (2) above;

(4) a guardian or conservator or a legal custodian when based on an approved social service plan; or

(5) a spouse of any of those persons named in the above groups or a former spouse of any of those persons if marriage is terminated by death or divorce.

(c) Temporary absence. Any person who is out of the home temporarily for a period of 90 days or less shall remain eligible.

(d) Assignments of support. Each caretaker who is applying for or receiving TAF on his or her own behalf or on behalf of any other family member shall assign to the secretary any accrued, present, or future rights to support from any other person that the caretaker may have on his or her own behalf, or on behalf of any other family member for whom the caretaker is applying for or receiving TAF.

(e) Persons in the family group whose needs shall be considered.

(1) The needs of each child who meets the criteria of subsection (a) of this regulation and the needs of the child's parent, stepparent, or both shall be included in the determination of assistance.

(2) The needs of an eligible child's caretaker, other than a parent or stepparent, shall be considered in the determination of assistance if requested. If the caretaker's needs are included, the caretaker's spouse and any children of the caretaker who meet the criteria of subsection (a) of this regulation shall also be considered.

(3) In determining eligibility, the needs of each of the following caretakers and children shall be excluded, while the resources of these caretakers and children shall be included, unless the resources are specifically exempt:

- (A) any SSI recipient;
- (B) any person who is ineligible due to a sanction;
- (C) any child whose needs are met through foster care payments;
- (D) any alien who is ineligible because of the citizenship and alienage requirements or sponsorship provisions;
- (E) unborn children;
- (F) a teen parent, as defined in subsection (g) of this regulation; and

(G) any person denied assistance based on the provisions of K.A.R. 30-4-50(c) or (d).

(f) Teen parents under age 18. A parent under age 18 of a child at least 12 weeks of age shall not be eligible for assistance under both of these circumstances.

(1) The parent is unmarried.

(2) The parent has not obtained a high school diploma or its equivalent, or is not working toward attainment of a high school diploma or its equivalent.

(g) The effective date of this regulation shall be October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c, K.S.A. 39-719b, K.S.A. 1996 Supp. 39-709; effective May 1, 1981; amended July 1, 1989; amended March 1, 1997; amended Oct. 1, 1997.)

**30-4-90. Eligibility factors specific to the GA program.** (a) To be eligible for GA, each applicant or recipient shall meet the applicable general eligibility requirements of K.A.R. 30-4-50, and the specific eligibility requirements set forth below.

(1) Each applicant or recipient, and the members of the assistance family group for whom the applicant or recipient is legally responsible, shall be ineligible for GA under either of the following circumstances.

(A) The applicant or recipient is eligible for a federal program.

(B) The applicant or recipient has been rendered ineligible for a federal program due to a voluntary action on the part of the applicant or recipient.

(2) Each applicant or recipient and each person for whom the applicant or recipient is legally responsible, if living together, shall be within at least one of the following categories to be eligible for GA:

(A) a person whose presence is required at home because another member of the home has a verified condition that meets the criteria in paragraph (a)(2)(B) and that does not permit self-care, if the care is not available from another person in the home; or

(B) a person who has been medically or psychologically determined to be physically or mentally incapacitated based on one of the following conditions:

(i) fractures or soft tissue injuries requiring at least 12 months of surgical management to restore function or preventing full weight-bearing for at least 12 months;

(ii) amputation of a lower extremity when the amputation involves hip disarticulation, when the amputation is at or above the tarsal region due to peripheral vascular disease or diabetes mellitus, or when the amputation results in an inability to use a lower prosthesis for at least 12 months;

(iii) permanent loss of use of any two limbs;

(iv) active inflammatory arthritis, corroborated by laboratory results, persisting at least three months despite prescribed treatment;

(v) arthritis, demonstrated on x-ray, with inability to stand or walk unassisted, surgical reconstruction or arthrodesis preventing full weight-bearing for at least 12 months, or gross deformity and functional limitation of joints in both arms;

(vi) osteomyelitis or septic arthritis of a major bone or joint persisting at least five months despite prescribed treatment;

(vii) ankylosis or fixation of the spine at 30 or more degrees flexion, as confirmed by x-ray;

(viii) osteoporosis with either multiple vertebral fractures that are not due to trauma, or at least 50 percent compression of vertebral body that is not due to trauma;

(ix) marked difficulty standing or walking that is expected to persist for at least 12 months;

(x) blindness with either best corrected central visual acuity of 20/100 in the better eye, or constriction of visual fields to 25 degrees or less in each eye;

(xi) best corrected visual efficiency of 26 percent or less in the better eye;

(xii) total bilateral ophthalmoplegia that is confirmed by ocular motility studies;

(xiii) deafness with aided speech discrimination of 40 percent or less in the better ear;

(xiv) permanent inability to produce intelligible, sustainable speech by any means;

(xv) labyrinthine-vestibular dysfunction with frequent vertiginous episodes and hearing loss;

(xvi) chronic skin disorders involving the hands, feet, axillae, perinium, or extensive body areas that are resistant to treatment and result in severe functional limitations;

(xvii) chronic pulmonary insufficiency that is confirmed on x-ray, is due to any cause and is accompanied by one of these conditions: restriction of vital capacity or of both one-second forced expiratory volume and maximum voluntary ventilation to 35 percent or less of expected values, as shown by pulmonary function studies; reduction of the diffusing capacity of the lungs for carbon monoxide to 35 percent or less of expected values; a severe, chronic impairment of gas exchange, as confirmed by arterial blood gas studies; cyanosis, dyspnea at rest, chronic wheezing and rhonchi, and use of accessory muscles of breathing; or a documented need for 24-hour supplemental oxygen;

(xviii) asthma or other episodic pulmonary impairments with severe prolonged attacks that require intensive treatment and that occur at intervals averaging at least every two months and with prolonged expiration, wheezing, and rhonchi between attacks, despite prescribed treatment;

(xix) congestive heart failure with persistence for three months despite treatment, cor pulmonale, or persistent, severe left ventricular hypertrophy;

(xx) ischemic heart disease with ongoing angina resulting in severe functional limitations;

(xxi) cardiac arrhythmias with repeated, uncontrolled syncopal episodes;

(xxii) peripheral vascular disease with persistent ulceration despite treatment, or with amputation or other manifestations causing severe functional limitations;

(xxiii) hypertensive end-organ damage resulting in severe functional limitations;

(xxiv) uncompensated cardiomyopathy with left ventricular ejection fraction of 30 percent or less;

(xxv) documented need for a heart transplant;

(xxvi) other congenital or acquired heart disease with severe functional limitations due to cardiac dysfunction;

(xxvii) proven stricture, stenosis, or obstruction of the esophagus with weight loss sustained at a level indicative of malnutrition;

(xxviii) proven peptic ulcer disease with recurrent ulceration that is persistent despite prescribed treatment after definitive surgery, inoperable fistula formation, dem-

onstrated recurrent obstruction, or weight loss sustained at a level indicative of malnutrition;

(xxix) chronic liver disease with any of these related conditions: esophageal varices resulting in massive bleeding or requiring a shunt, significantly elevated serum bilirubin persisting for at least three months, recurrent or persistent ascites associated with persistent hypoalbuminemia, proven hepatic cell necrosis or inflammation, or documented need for a liver transplant;

(xxx) chronic inflammatory disease of the digestive system with persistent or recurrent systemic manifestations resulting in severe functional impairment, with obstruction due to an intractable abscess, fistula formation or stenosis, or with significant and persistent weight loss sustained at a level indicative of malnutrition;

(xxxi) disorders of the pituitary, thyroid, parathyroid, or adrenal cortex that are resistant to treatment and that result in severe functional impairment;

(xxxii) diabetes mellitus with either severe neuropathy resulting in marked difficulty standing, walking, or using the hands, or with frequent episodes of ketoacidosis despite treatment;

(xxxiii) impaired renal function persisting for at least five months due to chronic, progressive disease with elevation of serum creatinine to four mg. per 100 ml. or greater, with creatinine clearance of 29 liters per 24 hours or less, or with severe complications that require chronic dialysis or renal transplant;

(xxxiv) nephrotic syndrome accompanied for three or more months by anasarca and serum albumin of 3.0 gm. per 100 ml. and proteinuria of at least 3.5 grams per 24 hours, or by anasarca and proteinuria of at least 10 grams per 24 hours;

(xxxv) acute leukemia or the acute phase of chronic leukemia;

(xxxvi) documented need for a bone marrow transplant;

(xxxvii) chronic anemia with hematocrit persisting below 30 percent that requires blood transfusions each two months on average or is due to a chronic gastrointestinal disorder;

(xxxviii) myeloma or myelofibrosis with radiologically demonstrated bony involvement and intractable bone pain;

(xxxix) myeloma with severe, persistent hypercalcemia or significant levels of plasma cells in peripheral blood;

(xl) coagulation defects, including chronic thrombocytopenia with persistence of severely decreased platelet count, and hemorrhagic disorders with recent spontaneous hemorrhage or intracranial bleeding;

(xli) chronic polycythemia not controllable by treatment with severe, persistent functional impairment due to hemorrhage or thrombosis;

(xlii) sickle cell disease with sickle cell crises occurring each three months on average, with chronic anemia and a hematocrit persisting below 30 percent, or requiring frequent extended hospitalization;

(xliii) recurrent systemic bacterial infections within the past four months due to myelofibrosis, chronic leukemia,

(continued)



or chronic granulocytopenia with absolute neutrophil counts persisting below 1,000 cells per cubic millimeter;

(xliv) HIV infection with presence of opportunistic disease or severe functional impairment;

(xliv) morbid obesity of at least 100 percent over desired weight with sustained skeletal, cardiovascular, or respiratory disease resulting in functional limitations;

(xlvi) systemic lupus erythematosus or progressive systemic sclerosis with recurrent visceral manifestations resulting in severe functional impairment;

(xlvii) polymyositis, polyarteritis, or other collagen vascular disease with severe involvement of affected body systems resulting in severe functional impairment;

(xlviii) organic brain syndrome persisting for three or more months with severe functional limitations that prevent the performance of employment;

(xlix) mental retardation;

(i) functional psychotic disorders causing severe functional limitations that preclude competitive employment and require ongoing psychiatric or psychological treatment;

(li) other severe and persistent mental illness that is not controllable by medications or other treatment, that causes severe functional limitations precluding competitive employment, and that requires ongoing psychiatric or psychological treatment;

(lii) any seizure disorder that is not controllable by medications either with major motor seizures occurring on an average of one each two months despite at least three months of treatment or with minor motor seizures occurring on an average of one each week despite at least three months of prescribed treatment;

(liii) cerebral palsy with mental retardation, severe emotional lability, abnormal behavior, severely limited ability to communicate, or severe limitations in motor functioning;

(liv) any other chronic neurological disease that is not controllable by treatment, or persistent manifestations of central nervous system insult, when the disease or insult results in any of these conditions: a severely limited ability to stand, walk, or use the hands; a persistent, severe difficulty swallowing or breathing; a severe expressive or receptive aphasia resulting in severely decreased ability to communicate; or frequent acute exacerbations of the disease resulting in severe functional limitations;

(lv) histologically malignant brain tumors, as proven by a pathology report, or other brain tumors causing severe functional limitations despite treatment;

(lvi) lymphoma that is not controlled despite treatment or metastatic disease of a lymph node from an undeterminable primary site;

(lvii) hormone-dependent or isotope-sensitive malignancies or sarcoma of soft parts that are not currently controlled despite treatment;

(lviii) solid malignancies that are not hormone-dependent or isotope-sensitive, with evidence of active disease, and that have any of these qualities: are inoperable, unresectable, or incompletely excised; are recurrent after radical surgery; are metastatic beyond the regional lymph nodes; are not controlled despite treatment; or are generally considered uncontrollable by established medical or surgical procedures;

(lvix) permanent residuals of neoplastic disease resulting in severe functional impairment; or

(lx) one or more other medically determinable impairments that prevent the performance of gainful employment, that are expected to last 12 months or longer or to result in death in fewer than 12 months, and that are not controllable by medication, surgery, or other treatment within 12 months of onset, excluding alcoholism, drug addiction, or other impairments that can be controlled through treatment;

(3) The needs of the applicant or recipient and each person for whom the applicant or recipient is legally responsible shall be included in the same assistance plan, if living together, except for persons who are not otherwise eligible. In determining eligibility, the needs of each of the following persons in the family group who are not otherwise eligible shall be excluded while the resources of those persons shall be included, unless the resources are specifically exempt:

(A) any SSI recipient;

(B) any person denied assistance based on the provisions of K.A.R. 30-4-50 (c) or (d);

(C) any person who is ineligible due to a sanction; and

(D) any alien who is ineligible because of the citizenship and alienage requirements or sponsorship provisions.

(b)(1) A presumptive eligibility determination shall be made for each person who is being released from a Medicaid-approved psychiatric hospital or from the Larned correctional mental health facility in accordance with an approved discharge plan. Minimally, the presumptive determination shall be based on available information concerning the person's income and resources. The general eligibility requirements of K.A.R. 30-4-50 may be waived until a formal eligibility determination is completed.

(2) Assistance provided shall equal 100 percent of the applicable GA budgetary standards, and the provision of subsection (a)(1) of K.A.R. 30-4-140 shall be waived. Assistance under this provision shall not extend beyond the month of discharge and the two following months, except that assistance under this provision may be extended by the department beyond the three-month limitation for good cause.

(c) Each applicant or recipient who refuses to authorize the department to file for and claim reimbursement from the social security administration for the amount of GA provided to the individual, pending a determination of eligibility for the supplemental security income program, shall be ineligible for GA.

(d) This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended May 1, 1982; amended, T-84-8, March 29, 1983; amended May 1, 1983; amended, T-84-9, March 29, 1983; amended May 1, 1984; amended, T-85-34, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended, T-30-6-10-91, July 1, 1991; amended Oct. 28, 1991; amended, T-30-6-10-92,

July 1, 1992; amended Oct. 1, 1992; amended Dec. 31, 1992; amended, T-30-2-15-93, Feb. 15, 1993; amended June 1, 1993; amended July 1, 1994; amended Jan. 1, 1997; amended March 1, 1997; amended Oct. 1, 1997.)

**30-4-96. Funeral assistance (FA) program.** Assistance may be provided for funeral expenses upon the death of a recipient under the TAF, GA, or medical assistance programs. (a) Funeral expenses. Funeral expenses shall include the cost of the following:

- (1)(A) the preparation of the body;
- (B) the purchase of a minimum casket;
- (C) the transportation within the trade area; and
- (D) a service; or
- (2) expenses for a cremation.

(b) Application. Each request for funeral assistance shall be made within six months after the date of death or the date the body is released by a county coroner.

(c) Treatment of resources.

(1) When a decedent, at the time of death, was not living with a child of the decedent who was under age 21, the spouse of the decedent, or an adult disabled child of the decedent, the total estate of the decedent shall be considered available. This provision shall not be applicable in situations in which there were separate living arrangements because of the need for institutional care. The estate shall not be allowed any exemptions.

(2) Eligibility for assistance shall be based on the assets of the family group as of the calendar month in which the decedent died under these circumstances:

(A) When a decedent was living, at the time of death, with a child of the decedent who was under age 21, the spouse of the decedent, an adult disabled child of the decedent, or if the decedent was a child under age 21, living with the parent of the decedent; or

(B) when there were separate living arrangements from one of the persons specified in subparagraph (c)(2)(A) of this regulation because of the need for institutional care.

(3) The total amount of proceeds on any life insurance policy on the decedent shall be considered available if the policy was owned by the decedent, the spouse of the decedent, or the parent of the decedent if the decedent was a child under age 21.

(4) Death benefits from SSA, VA, railroad retirement, KPERs, or other burial funds shall be considered available.

(d) Resource limit. If the value of the resources considered available in accordance with subsection (c) of this regulation does not exceed \$2,000, assistance may be provided. If the resource value exceeds \$2,000, the decedent shall be ineligible for assistance.

(e) Assistance provided. If the decedent is eligible, the amount of funeral assistance provided shall be \$550, except that the total cost of funeral expenses, including the \$550 payment, shall not exceed \$2,000. If the total cost exceeds \$2,000, no assistance shall be provided.

(f) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c and K.S.A. 1996 Supp. 39-709 and K.S.A. 39-713d; effective May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended

April 1, 1990; amended Sept. 30, 1994; amended July 1, 1996; amended March 1, 1997; amended Oct. 1, 1997.)

**30-4-106. General rules for consideration of resources, including real property, personal property, and income.** (a) For purposes of determining eligibility for assistance, ownership of property shall be determined by legal title. In the absence of a legal title, ownership shall be determined by possession.

(b) Resources, to be real, shall be of a nature that the value can be defined and measured. The value of resources shall be established by the objective measurements set forth in paragraphs (1) and (2) below.

(1) Real property. The value of real property shall be initially determined by the latest uniform statewide appraisal value of the property, which shall be adjusted to reflect current market value. If the property has not been appraised or if the market value as determined above is not satisfactory to the applicant or recipient or the agency, an estimate or appraisal of its value shall be obtained from a disinterested real estate broker. The cost of obtaining an estimate or appraisal shall be borne by the agency.

(2) Personal property. The market value of personal property shall be initially determined by a reputable trade publication. If a publication is not available, or if there is a difference of opinion regarding the value of the property between the applicant or recipient and the agency, an estimate from a reputable dealer shall be used. The cost of obtaining an estimate or appraisal shall be borne by the agency.

(c) Resources shall be considered available both when actually available and when the applicant or recipient has the legal ability to make them available. A resource shall be considered unavailable when there is a legal impediment that precludes the disposal of the resource. The applicant or recipient shall pursue reasonable steps to overcome the legal impediment unless it is determined that the cost of pursuing legal action would exceed the resource value of the property or that it is unlikely the applicant or recipient would succeed in the legal action.

(d) The resource value of property shall be that of the applicant's or recipient's equity in the property. Unless otherwise established, the proportionate share of jointly owned real property and the full value of jointly owned personal property shall be considered available to the applicant or recipient. Resources held jointly with a non-legally responsible person may be excluded from consideration if the applicant or recipient can demonstrate that the applicant or recipient has no ownership interest in the resource, that the applicant or recipient has not contributed to the resource, and that any access to the resource by the applicant or recipient is limited to acting as an agent for the other person.

(e) Except as provided in subsection (h) and (i), non-exempt resources of all persons in the assistance plan and the nonexempt resources of persons who have been excluded from the assistance plan pursuant to K.A.R. 30-4-70(e)(3) and 30-4-90(a)(3) shall be considered.

(f) Except as provided in subsection (h), the combined resources of husband and wife, if they are living together, shall be considered in determining the eligibility of either

(continued)



or both for assistance, unless otherwise prohibited by law. A husband and wife shall be considered to be living together if they are regularly residing in the same household. Temporary absences of one of the couple for education or training, working, securing medical treatment, or visiting shall not be considered to interrupt the couple's living together.

(g) Despite subsections (e) and (f), the resources of an SSI beneficiary shall not be considered in the determination of eligibility for assistance of any other person, except for funeral assistance.

(h) The resources of an alien sponsor and the sponsor's spouse shall be considered in determining eligibility for the alien.

(i) A conversion of real or personal property from one form of a resource to another shall not be considered as income for the applicant or recipient except for the proceeds from a contract for the sale of property.

(j) Income shall not be considered both as income and as property in the same month.

(k) Despite subsection (e) above, the resources of a child whose needs are met through foster care payments shall not be considered.

(l) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-20, Sept. 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Jan. 1, 1988; amended May 1, 1988; amended, T-89-13, April 26, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended March 1, 1997; amended Oct. 1, 1997.)

**30-4-107. Property exemption.** (a) Each assistance family may own otherwise nonexempt real or personal property with an aggregate resource value not in excess of \$2,000.00. Ownership of property with a resource value in excess of this amount shall render the assistance family group ineligible for assistance. However, if there is ineligibility due to excess real property, assistance shall be provided for a period of up to nine months if the applicant or recipient is making a bona fide and documented effort to dispose of the property.

(b) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective May 1, 1981; amended May 1, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended, T-85-33, Dec. 19, 1984; amended May 1, 1985; amended Oct. 1, 1997.)

**30-4-109. Personal property.** (a) Definitions.

(1) "Personal property" means all property, excluding real property.

(2) "Cash assets" means money, investments, cash surrender or loan values of life insurance policies, trust funds, and similar items on which a determinate amount of money can be realized.

(3) "Other personal property" means personal effects, household equipment and furnishings, home produce,

livestock, equipment, vehicles, inventory, contracts from the sale of property, and similar items on which a determinate amount of money can be realized.

(b) Treatment of personal property. Personal property, unless exempted, shall be considered a resource.

(c) Exempted personal property. The resource value of the following classifications of personal property shall be exempt:

(1) Personal effects;

(2) household equipment and furnishings in use or only temporarily not in use;

(3) tools in use and necessary for the maintenance of house or garden;

(4) income-producing property, other than cash assets, that is essential for employment or self-employment or that is producing income consistent with its fair market value. Income-producing property may include tools, equipment, machinery, and livestock;

(5) the stock and inventory of any self-employed person that are reasonable and necessary in the production of goods or services;

(6) items for home consumption, which shall consist of the following:

(A) produce from a small garden consumed from day to day and any excess that may be canned or stored; and

(B) a small flock of fowl or livestock that is used to meet the food requirements of the family;

(7) one vehicle for each assistance family. Additional vehicles may be exempt if used over 50% of the time for employment or self-employment, if used as the family's home, or if specially equipped for use by a handicapped person;

(8) cash assets that are traceable to income exempted as income and as a cash asset;

(9) proceeds from the sale of a home if the proceeds are conserved for the purchase of a new home and the funds so conserved are expended or committed to be expended in the month received or in the following month;

(10) burial plots and funeral agreements that meet conditions established by the secretary of health and human services and approved by the secretary of social and rehabilitation services;

(11) any contract for the sale of property, if the proceeds from the contract are considered as income;

(12) escrow accounts established for families participating in the family self-sufficiency program through the department of housing and urban development. Interest earned on the accounts shall also be exempted as income; and

(13) the cash value of any life insurance policy.

(d) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended Oct. 1, 1992; amended March 1, 1997; amended Oct. 1, 1997.)

**30-4-112. Income exempt from consideration as income and as a cash asset.** The following income shall be exempt, except as provided in K.A.R. 30-4-110(b):

- (a) Grants and scholarships provided for educational purposes;
- (b) the value of benefits provided under the food stamp program;
- (c) the value of the U.S. department of agriculture donated foods;
- (d) the value of supplemental food assistance received under the child nutrition act of 1966, as amended, and the special food service program for children under the national school lunch act, as amended;
- (e) benefits received under title V, community services employment program, or title VII, nutrition program for the elderly, of the older Americans act of 1965, as amended;
- (f) Indian funds distributed or held in trust, including interest and investment income accrued on such funds while held in trust and initial purchases made with such funds;
- (g) distributions to natives under the Alaska native claims settlement act;
- (h) payments provided to individual volunteers serving as foster grandparents, senior health aides, and senior companions, and to persons serving in the service corps of retired executives and active corps of executives under titles II and III of the domestic service act of 1973;
- (i) payments to individual volunteers under title I, sec. 404(g) of Public Law 93-113 when the director of ACTION determines that the value of such payments, adjusted to reflect the number of hours such volunteers are serving, is less than the federal minimum wage;
- (j) payments received under the uniform relocation assistance and real property acquisition policies act of 1970;
- (k) death benefits from SSA, VA, railroad retirement, or other burial insurance policy when the benefit is used toward the cost of burial;
- (l) a one-time payment or a portion of a one-time payment from a cash settlement for repair or replacement of property or for legal services, or medical costs or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within six months of its receipt;
- (m) money that VA determines may not be used for subsistence needs held in trust by VA for a child;
- (n) retroactive corrective assistance payments in the month received or in the following month;
- (o) income directly provided by vocational rehabilitation;
- (p) benefits from special government programs at the discretion of the secretary, including energy assistance programs.
- (q) cash donations that are based on need, do not exceed \$300 in any calendar quarter, and are received from one or more private, nonprofit, charitable organizations;
- (r) reimbursements for out-of-pocket expenses in the month received and the following month;
- (s) proceeds from any bona fide loan requiring repayment;
- (t) payments granted to certain U.S. citizens of Japanese ancestry and resident Japanese aliens under Title I of Public Law 100-383;
- (u) payments granted to certain Aleuts under Title II of Public Law 100-383;

- (v) agent orange settlement payments;
  - (w) foster care and adoption support payments;
  - (x) the amount of any earned income tax credit received. Such credit shall not be regarded as a cash asset in the month of receipt and the following month;
  - (y) federal major disaster and emergency assistance and comparable disaster assistance provided by state or local government or by disaster assistance organizations in conjunction with a presidentially declared disaster;
  - (z) payments granted to the Aroostook Band of Micmac Indians under Public Law 102-171;
  - (aa) payments from the radiation exposure compensation trust fund made by the department of justice; and
  - (bb) special federal allowances paid monthly to children of Vietnam veterans who are born with spina bifida.
- This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c and 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-7-2-90, July 2, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; amended May 1, 1991; amended July 1, 1991; amended Jan. 2, 1992; amended Oct. 1, 1992; amended Oct. 1, 1993; amended Dec. 30, 1994; amended Oct. 1, 1997.)

### **30-4-113. Income exempt as applicable income.**

The following types of income shall be exempt as applicable income in the determination of the budgetary deficit: (a) earned income of a child who is under the age of 19 years if the child is a student in elementary or secondary school or is working towards attainment of a G.E.D.

- (b) lump sum income;
- (c) irregular, occasional, or unpredictable monetary gifts that do not exceed \$50.00 per month per family group;
- (d) income-in-kind;
- (e) shelter cost participation payments. In shared living arrangements in which two families contribute toward the shelter obligations, any cash paid toward the shared shelter obligation by one family to the second family in the shared arrangement shall not be considered as income to the second family. This exemption shall not be applicable in a bona fide, commercial landlord-tenant arrangement;
- (f) tax refunds and rebates, except for earned income tax credits in accordance with K.A.R. 30-4-112(y);
- (g) incentive payments received by renal dialysis patients;
- (h) home energy assistance furnished on the basis of need by a federally regulated or state-regulated entity whose revenues are primarily derived on a rate-of-return basis, by a private, nonprofit organization, by a supplier of home heating oil or gas, or by a municipal utility company that provides home energy;
- (i) income received from the job training partnership act of 1982. However, earnings received by individuals who are participating in on-the-job training programs shall be countable unless the individual is a child;

(continued)

- (j) housing assistance from federal housing programs;
- (k) assistance payments in the month received;
- (l) support payments received following the effective date of the assignment of support rights to the agency. However, a support refund disbursed by the agency to the recipient or reported current support that, if prospectively treated as nonexempt income, would result in ineligibility, shall not be exempt income;
- (m) up to \$2,000.00 per year of income received by an individual Indian that is derived from leases or other uses of an individually owned trust or restricted lands;
- (n) veterans administration (VA) aid and attendance and housebound allowances;
- (o) VA payments resulting from unusual medical expenses;
- (p) interest income that does not exceed \$50.00 per month per family group;
- (q) the amount of any child support pass through payment; and
- (r) the amount of any child support arrearage payment.

This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c, and 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended, T-87-15, July 1, 1986; amended May 1, 1987; amended, T-88-59, Dec. 16, 1987; amended May 1, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended May 1, 1991; amended July 1, 1991; amended Sept. 30, 1994; amended Dec. 30, 1994; amended March 1, 1997; amended July 1, 1997; amended Oct. 1, 1997.)

#### Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

##### **30-5-94. Reimbursement for pharmacy services.**

(a) Pharmacy providers shall be reimbursed for covered pharmacy services on the basis of product acquisition cost plus a professional fee. In no case shall reimbursement for a prescription exceed the lesser of the provider usual and customary charges for that prescription or the state allowable for that prescription. The submitted charge and payment for covered over-the-counter pharmacy products shall not exceed the lesser of the product acquisition cost plus the professional fee or the usual and customary over-the-counter charge of the pharmacy provider.

(b) The acquisition cost shall include a maximum allowable cost reimbursement limitation for selected multiple source drugs determined by the Kansas department of social and rehabilitation services. The acquisition cost may be limited to a level as established by the secretary of the department.

(c) The professional fee assigned to pharmacy providers shall be the lesser of one of the following:

- (1) The 85th percentile of allocated costs per prescription for all pharmacies filing a cost report as required by K.A.R. 30-5-95, plus a reasonable profit;

(2) the usual and customary fee charges of each individual pharmacy, as determined by the prescription survey section of the pharmacy cost report; or

(3) a rate as established by the secretary of the department.

(d) The department may elect to further limit the professional fee assignment of individual pharmacy providers through use of a multiple regression analysis based on cost study data from all pharmacy cost reports. Individual pharmacy providers with data that exceeds selected regression analysis norms by a factor greater than a standard deviation of 1.0 shall have allocated cost data relative to the selected norm limited to a value at a standard deviation of 1.0 above the norm.

(e) Completed cost reports, pursuant to the provisions of subsection (c), shall be due 90 days after notice from the department. Delinquent cost reports shall not be accepted after 105 days following notice from the department.

(f) Except as specified in subsection (g), pharmacies that have 250 or fewer prescription claims annually, acute care institutional pharmacies, and pharmacies that were in business for less than six months in the cost-reporting period shall not file a cost report and shall be assigned professional fees determined from average cost data for all pharmacies that file a cost report.

(g) Pharmacy providers involved in a change of ownership shall be assigned a professional fee based on cost data from the previous owner's cost report, if submitted, and on weighted mean labor costs per prescription for all pharmacy providers that file a cost report. If the previous owner did not file a cost report, the professional fee shall be assigned pursuant to subsection (f).

(h) Pharmacies that are inactive pursuant to K.A.R. 30-5-59 shall be considered new pharmacies when reactivated.

(i) In areas where pharmacy services are not available, each physician dispensing prescriptions to program consumers shall be eligible to receive reimbursement for provision of those services after a pharmacy provider number has been issued by the department pursuant to K.A.R. 30-5-59.

(1) Physicians assigned a pharmacy provider number shall be reimbursed on the basis of product acquisition cost plus a professional fee of \$1.00 per prescription.

(2) Payment shall not apply to injectable drugs not intended for self-administration by the patient, except as included in the charge for the professional services of the physician.

(j) Reimbursement shall be made to the pharmacy provider only when the covered service has been prescribed by the consumer's attending practitioner.

(k) The effective date of this regulation shall be October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c; effective May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended July 1, 1989; amended, T-30-12-28-89, Jan. 1, 1990; amended, T-2-28-90, Feb. 28, 1990; amended May 1, 1991; amended Dec. 29, 1995; amended Oct. 1, 1997.)

**30-5-107. Scope of non-ambulance medical transportation services.** (a) Noncommercial transportation, in-

cluding wheelchair transportation, to and from medical providers, shall require prior authorization except for trips to receive emergency care. Services shall be provided only when transportation is not otherwise available to the recipient.

(b) The least expensive means of transportation suitable to the recipient's medical need shall be used.

(c) Non-ambulance medical transportation for nursing facility residents is not covered.

(d) The effective date of this regulation shall be October 1, 1997. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended April 1, 1995; amended Oct. 1, 1997.)

#### **Article 6.—MEDICAL ASSISTANCE PROGRAM—CLIENTS' ELIGIBILITY FOR PARTICIPATION**

**30-6-52. Act on own behalf.** (a) Emancipated minor. "Emancipated minor" means a person who is age 16 or 17 and who is or has been married, or a person who is under the age of 18 and who has been given or acquired the rights of majority through court action.

(b) Ability to act on own behalf. Each applicant or recipient shall be legally capable of acting on his or her own behalf.

(1) Incapacitated persons shall not be eligible for medical assistance unless a caretaker, medical representative, representative payee for social security benefits, or a responsible adult with whom a child resides as a result of an approved social service plan applies for assistance on the person's behalf.

(2) Emancipated minors shall be eligible to receive medical assistance on their own behalf.

(3) Unemancipated minors shall not be deemed capable of acting on their own behalf and must reside with a caretaker, representative payee for social security benefits, or a responsible adult with whom the child resides as a result of an approved social service plan in order to be eligible for assistance except when one of the following conditions exists.

(A) The minor has no parent who is living or whose whereabouts are known, and there is no other caretaker who is willing to assume parental control of the minor.

(B) The health and safety of the minor has or would be jeopardized by remaining in the household with the minor's parents or other caretakers.

(c) This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective May 1, 1981; amended May 1, 1984; amended Jan. 4, 1993; amended Sept. 30, 1994; amended March 1, 1997; amended Oct. 1, 1997.)

**30-6-77. Poverty level pregnant women and children; determined eligibles.** Each applicant or recipient shall meet the general eligibility requirements of K.A.R. 30-6-50 and the specific eligibility requirements set forth below. (a) Pregnant women. Each eligible woman shall be medically determined to be pregnant. Assistance under this provision shall continue for two calendar months following the month in which the pregnancy terminates.

(b) Infants. Each eligible infant shall be under one year of age. Assistance under this provision shall continue according to either of these provisions:

(1) through the month in which the child turns age one; or

(2) if receiving inpatient services in the month in which the child turns age one, according to this schedule:

(A) through the calendar month in which that inpatient care ends; or

(B) through the calendar month following the month the care begins, whichever is sooner. If the inpatient care will exceed that time period, eligibility for the child under this provision shall end on the last day of the calendar month in which the child turns age one.

(c) Other young children. Each eligible child shall be at least one year of age, but no older than five years of age. Assistance under this provision shall continue according to either of these provisions:

(1) through the month in which the child turns age six; or

(2) if receiving inpatient services in the month in which the child turns age six, according to this schedule:

(A) through the calendar month in which that inpatient care ends; or

(B) through the calendar month following the month the care begins, whichever is sooner. If the inpatient care will exceed that time period, eligibility for the child under this provision shall end on the last day of the calendar month in which the child turns age six.

(d) Older children. Each eligible child shall be at least six years of age but under the age of 19 and be born on or after October 1, 1979.

(e) Persons whose needs are to be considered in determining eligibility.

(1) For pregnant women, the needs of the pregnant woman, the unborn child, and the father, if living with the pregnant woman, shall be considered. If the pregnant woman is a minor and lives with her parents, the needs of her parents shall also be included.

(2) For all children, if the child lives with a parent or parents, the needs of the child and the child's parents shall be considered.

(3) Other pregnant women and children in the family group for whom assistance is requested shall be included in the assistance plan if otherwise eligible.

(f) Financial eligibility. A percentage of the official federal poverty income guidelines as established in K.A.R. 30-6-103 shall be used as the protected income level for the number of persons in the plan and any other persons in the family whose income is being considered. Total applicable income to be considered in the eligibility base period shall be compared against the poverty level for the base period. To be eligible under this provision, the total applicable income shall not exceed the poverty level established for the base period. Ownership of excess non-exempt real or personal property shall not result in ineligibility.

(g) Continuous eligibility. A pregnant woman who becomes eligible for assistance under this regulation shall continue to be eligible throughout her pregnancy and the two calendar months following the month her pregnancy terminates.

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terminates, without regard to any changes in family income.

(h) The effective date of this regulation shall be October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c and K.S.A. 1996 Supp. 39-709; effective, T-30-7-1-88, July 1, 1988; effective Sept. 26, 1988; amended July 1, 1989; amended, T-30-3-29-90, April 1, 1990; amended, T-30-7-2-90, Aug. 1, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; amended, T-30-12-28-90, Jan. 2, 1991; amended May 1, 1991; amended July 1, 1991; amended Sept. 30, 1994; amended Dec. 30, 1994; amended Oct. 1, 1997.)

**30-6-82. Technology-assisted child; determined eligibles.** (a) Each applicant or recipient shall meet the general eligibility requirements of K.A.R. 30-6-50 and the requirements set forth below to be eligible as a technology-assisted child.

(1) Each child shall be under the age of 18.

(2) Each child shall, if not for the provision of home- and community-based services, require the level of care provided in a hospital.

(3) Each child shall require substantial and ongoing care by a nurse and shall meet one of these requirements:

(A) Be dependent at least part of each day on mechanical ventilators for survival;

(B) require prolonged intravenous administration of nutritional substances or drugs; or

(C) need some other medical device to compensate for the loss of a vital body function.

(b) Eligibility shall be determined based on the financial eligibility standards and methodologies applicable to persons in home- and community-based services arrangements.

(c) The need for care and receipt of home- and community-based services under this provision shall be subject to approval by the division of medical programs.

(d) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 39-708c; implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective, T-30-3-1-91, March 1, 1991; effective July 1, 1991; amended Oct. 1, 1997.)

**30-6-106. General rules for consideration of resources, including real property, personal property, and income.** (a) For purposes of determining eligibility for assistance, legal title shall determine ownership. In the absence of legal title, possession shall determine ownership.

(b) Resources, to be real, shall be of a nature that the value can be defined and measured. The objective measures set forth in paragraphs (1) and (2) below shall establish the resources' value.

(1) Real property. The value of real property shall be initially determined by the latest uniform statewide appraisal value of the property, which shall be adjusted to reflect current market value. If the property has not been appraised or if the market value as determined above is not satisfactory to the applicant, recipient, or agency, an estimate or appraisal of its value shall be obtained from a disinterested real estate broker. The cost of obtaining an estimate or appraisal shall be borne by the agency.

(2) Personal property. The market value of personal property shall be initially determined using a reputable trade publication. If a publication is not available, or if there is a difference of opinion regarding the value of the property between the agency and the individual, an estimate from a reputable dealer shall be used. The cost of obtaining an estimate or appraisal shall be borne by the agency.

(c) (1) Resources shall be considered available both when actually available and when the applicant or recipient has the legal ability to make them available. A resource shall be considered unavailable when there is a legal impediment that precludes the disposal of the resource. The applicant or recipient shall pursue reasonable steps to overcome the legal impediment unless it is determined that the cost of pursuing legal action would exceed the resource value of the property, or that it is unlikely the applicant or recipient would succeed in the legal action.

(2) For SSI, real property shall be considered unavailable as long as it cannot be sold for one of the following reasons.

(A) The property is jointly owned, and its sale would cause undue hardship because of the loss of housing for the other owner or owners.

(B) The owner's reasonable efforts to sell the property have been unsuccessful.

(d) The resource value of property shall be that of the applicant's or recipient's equity in the property. Unless otherwise established, the proportionate share of jointly owned real property and the full value of jointly owned personal property shall be considered available to the applicant or recipient. Resources held jointly with a non-legally responsible person may be excluded from consideration if the applicant or recipient demonstrates that all of the following conditions exist.

(1) The applicant or recipient has no ownership interest in the resource.

(2) The applicant or recipient has not contributed to the resource.

(3) Any access to the resource by the applicant or recipient is limited to those duties performed while the applicant or recipient is acting as an agent for the other person.

(e) Nonexempt resources of all persons in the assistance plan shall be considered in determining eligibility.

(f) (1) The combined resources of husband and wife, if they are living together, shall be considered in determining the eligibility of either or both for the medical assistance program, unless otherwise prohibited by law.

(2) A husband and wife shall be considered to be living together if they are regularly residing in the same household. Temporary absences of either the husband or the wife for education, training, working, securing medical treatment, or visiting shall not interrupt the period of time during which the couple is considered to be living together.

(3) A husband and wife shall not be considered to be living together when they are physically separated and not maintaining a common life, or when one or both enter into an institutional living arrangement, including either a medicaid-approved or non-approved medical facility or



a home- and community-based services care arrangement.

(A) If only one spouse enters an institutional living arrangement, the provisions of subsection (l) below shall apply.

(B) If both spouses enter an institutional living arrangement, the combined resources of the husband and wife shall be considered available to both for the month in which the institutional arrangement begins.

(g) The resources of an ineligible parent shall be considered in determining the eligibility of a minor child for the medical assistance program if the parent and child are living together, except that such resources shall not be considered for children in an institutional or home- and community-based services arrangement beginning with the month following the month the arrangement begins.

(h) Despite subsections (e), (f), and (g) above, the resources of an SSI beneficiary shall not be considered in the determination of eligibility for medical assistance of any other person.

(i) The conversion of real and personal property from one form of resource to another shall not be considered to be income to the applicant or recipient, except for the proceeds from a contract for the sale of property.

(j) Income shall not be considered to be both income and property in the same month.

(k) Despite subsection (e) above, the resources of a child whose needs are met through foster care payments shall not be considered in determining eligibility.

(l) When one spouse enters an institutional living arrangement, the other spouse remains in the community, and an application for medical assistance is made on behalf of the institutionalized spouse, the following provisions shall apply.

(1) The separate income of each spouse shall not be considered to be available to the other beginning in the month the institutional arrangement begins. Unless it is otherwise established that less or more than this value is available,  $\frac{1}{2}$  of the income that is paid in the names of both spouses shall be considered available to each. Income that is paid in the name of either spouse, or in the name of both spouses and the name of another person or persons, shall be considered available to each spouse in proportion to the spouse's interest, unless it is otherwise established that less or more than this value is available.

(2) (A) A monthly income allowance for the community spouse shall be deducted from the income of the institutionalized spouse in determining the amount of patient liability for persons in institutional living arrangements or in a spenddown status for persons in home- and community-based services arrangements.

(B) The income allowance for the community spouse, when added to the income already available to that spouse, shall not exceed 150 percent of the official federal poverty income guideline for two persons plus the amount of any excess shelter allowance. "Excess shelter allowance" means the amount by which the community spouse's expenses for rent or mortgage payments, taxes and insurance for the community spouse's principal residence, plus the food stamp standard utility allowance,

exceeds 30 percent of 150 percent of the federal poverty income guideline amount referred to above.

(C) The maximum monthly income allowance that can be provided under this provision shall be \$1,500.00. The \$1,500.00 limitation shall be increased at the beginning of each calendar year by the same percentage as the percentage increase in the consumer price index for all urban consumers between September, 1988 and the September before the calendar year involved.

(D) If a greater income allowance is provided under a court order of support or through the fair hearing process, that amount shall be used in place of the above limits.

(3) A monthly income allowance for each dependent family member shall be deducted from the income of the institutionalized spouse in determining the amount of patient liability for persons in institutional living arrangements or in a spenddown status for persons in home- and community-based services arrangements.

(A) "Dependent family member" means a person who is a minor or dependent child, dependent parent, or dependent sibling of either spouse and who lives with the community spouse.

(B) The allowance for each member shall be equal to  $\frac{1}{3}$  of 150 percent of the official federal poverty income guideline for two persons.

(C) An allowance for a dependent family member shall not be provided if the family member's gross income is in excess of 150 percent of the federal poverty income guideline for two persons.

(4) If the spouse is institutionalized on or after September 30, 1989, the real and personal property of both spouses shall be considered in determining the eligibility of the institutionalized spouse, based on the amount of property in excess of the community spouse property allowance as set forth in paragraph (l) (6) below, whether or not such allowance will be made.

(A) If the excess property is within the allowable resource standards of K.A.R. 30-6-107, the institutionalized spouse shall be eligible.

(B) In the month following the first month of eligibility for the institutionalized spouse, only the property of the institutionalized spouse shall be considered available in determining continuing eligibility, except for property to be transferred in accordance with paragraph (l)(6) below.

(5) If the spouse was institutionalized before September 30, 1989, the real and personal property of each spouse shall be considered available to the other in the month in which the institutional arrangement began. Thereafter, the property of each spouse shall not be considered available to the other.

(6) The institutionalized spouse may make available to the community spouse a property allowance that, when added to the property already available to the community spouse, would be equal to  $\frac{1}{2}$  of the total value of the property owned by both spouses as of the first period of continuous institutionalization beginning on or after September 30, 1989.

(A) This property allowance shall not exceed \$60,000.00, and shall be no less than \$12,000.00. Both the \$12,000.00 and \$60,000.00 standards shall be increased at the beginning of each calendar year by the same percent-

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age as the percentage increase in the consumer price index for all urban consumers between September, 1988 and the September before the calendar year involved.

(B) If a greater property allowance is provided under a court order of support or through the fair hearing process, that amount shall be used in place of the above limits.

(7) The amount of property received by the community spouse as a result of the property allowance determined in paragraph (1)(6) shall not be considered in determining the eligibility of the institutionalized spouse, except as provided in paragraph (1)(4) above. If the institutionalized spouse will be eligible based upon transferring sufficient property to the community spouse to equal the amount of the property allowance, the institutionalized spouse shall be given up to 90 days from the date of application to transfer the property. Additional time may be allowed for good cause. Pending disposition of the property, the institutionalized spouse shall be eligible during this time period if all other eligibility factors are met.

(m) The resources of an alien sponsor and the sponsor's spouse shall be considered in determining eligibility for the alien.

(n) This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended, T-87-20, Sept. 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Jan. 1, 1988; amended May 1, 1988; amended, T-89-13, April 26, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended April 1, 1990; amended, T-30-10-1-90, Oct. 1, 1990; revoked, T-30-11-29-90, Jan. 2, 1991; amended Jan. 7, 1991; amended, T-30-12-28-90, Jan. 2, 1991; amended, T-30-3-1-91, March 1, 1991; amended May 1, 1991; amended July 1, 1991; amended, T-30-8-9-91, Aug. 30, 1991; amended Oct. 28, 1991; amended Jan. 2, 1992; amended, T-30-6-10-92, July 1, 1992; amended Oct. 1, 1992; amended Jan. 4, 1993; amended Oct. 1, 1993; amended, T-30-11-16-93, Dec. 1, 1993; amended Jan. 3, 1994; amended Feb. 6, 1995; amended Dec. 29, 1995; amended March 1, 1997; amended Oct. 1, 1997.)

### **30-6-109. Personal property.** (a) Definitions.

(1) "Personal property" means all property, excluding real property.

(2) "Cash assets" means the following resources:

- (A) money;
- (B) investments;
- (C) cash surrender or loan values of life insurance policies;
- (D) trust funds; and
- (E) similar items on which a determinate amount of money can be realized.

(3) "Other personal property" means the following:

- (A) personal effects;
- (B) household equipment and furnishings;
- (C) home produce;

- (D) livestock;
- (E) equipment;
- (F) vehicles;
- (G) inventory;
- (H) contracts from the sale of property; and
- (I) similar items on which a determinate amount of money can be realized.

(b) Treatment of personal property. Personal property, unless exempted, shall be considered a resource. Trust funds shall be subject to subsection (c).

(c) Treatment of trust funds. For purposes of determining an individual's eligibility for assistance or the amount of assistance, the following rules shall apply to trust funds. The term "trust" shall include any legal instrument or device that is similar to a trust, including an annuity. The term "assets" shall be defined as specified in K.A.R. 30-6-56(a)(3).

(1) In the case of a revocable trust, the value of the trust shall be considered a resource available to the individual. Payments from the trust to or for the benefit of the individual shall be considered to be income. Any other payments made from the trust shall be considered under the property transfer provisions of K.A.R. 30-6-56.

(2) Irrevocable trusts.

(A) If there are any circumstances under which payment from an irrevocable trust could be made to the individual or for the benefit of the individual, the portion of the trust from which payment could be made shall be considered as a resource available to the individual. Payments made from the trust to the individual or for the benefit of the individual shall be considered income. Any other payments made from the trust shall be considered under the property transfer provisions of K.A.R. 30-6-56.

(B) Any portion of the trust from which no payment could be made to the individual under any circumstances shall be considered as of the date of establishment of the trust, or if later, the date on which payment to the individual was restricted or foreclosed, under the property transfer provisions of K.A.R. 30-6-56.

(3) An individual shall be considered to have established a trust if assets of the individual were used to form all or part of the trust and if any of the following individuals established the trust, other than by will:

- (A) the individual or the individual's spouse;
- (B) any person, including a court or administrative body, with legal authority to act in place of or on behalf of the individual or the individual's spouse; or
- (C) any person, including any court or administrative body, acting at the direction or upon the request of the individual or the individual's spouse.

(4) If the corpus of the trust includes assets of any other person or persons, the provisions of this subsection shall apply to the portion of the trust attributable to the assets of the individual.

(5) The provisions of this subsection shall apply without regard to the purposes for which the trust was established, whether or not the trustees have or exercise any discretion under the trust, any restrictions on when or whether distributions may be made from the trust, or any restrictions on the use of distributions from the trust.

(6)(A) The provisions of this subsection shall not apply to a trust that contains the assets of an individual under



age 65 who meets the blindness or disability criteria of K.A.R. 30-6-85 and that is established for the benefit of the individual by a parent, grandparent, legal guardian of the individual, or a court. The state shall receive all amounts remaining in the trust upon the death of the individual, up to an amount equal to the total medical assistance paid on behalf of the individual.

(B) The provisions of this subsection shall not apply to a trust containing the assets of an individual who meets the blindness or disability criteria of K.A.R. 30-6-85 if the trust meets the following criteria:

- (i) the trust is established by a nonprofit association;
- (ii) a separate account is maintained for each beneficiary of the trust;
- (iii) accounts in the trust are established solely for the benefit of individuals who meet the blindness or disability criteria of K.A.R. 30-6-85; and
- (iv) each account in the trust is established by that individual, the parent, grandparent, or legal guardian of the individual, or by a court. The state shall receive all amounts remaining in the individual's account upon the death of the individual up to an amount equal to the total medical assistance paid on behalf of the individual.

(7) The provisions of this subsection shall be waived if it is determined that a waiver is necessary to avoid undue hardship on the individual. A finding of undue hardship may be granted if the individual verifies that all of the following conditions have been met.

(A) The individual has exhausted all legal remedies for gaining access to the principal or income of the trust.

(B) All otherwise available assets have been expended to meet living and medical expenses.

(C) The individual's health or life would be endangered if the individual were deprived of medical care.

(d) Exempted personal property. The resource value of the following classifications of personal property shall be exempt:

- (1) personal effects;
- (2) household equipment and furnishings in use or only temporarily not in use;
- (3) tools in use and necessary for the maintenance of a house or a garden;
- (4) the stock and inventory of any self-employed person that are reasonable and necessary in the production of goods and services;
- (5) items for home consumption, which shall consist of the following:
  - (A) produce from a small garden consumed from day to day and any excess that may be canned or stored; and
  - (B) a small flock of fowl or livestock that is used to meet the food requirements of the family;
- (6) cash assets that are traceable to income exempted as income and as a cash asset;
- (7) any contract for the sale of property, if the proceeds from the contract are considered as income;
- (8) one vehicle for each assistance family. Additional vehicles may be exempt if used over 50% percent of the time for employment or self-employment, if used as the family's home, if needed for medical treatment of a specific medical problem, or if specially equipped for use by a handicapped person;

(9) income-producing personal property, other than cash assets, that is essential for employment or self-employment or producing income consistent with its fair market value. Income-producing property may include the following items:

- (A) tools;
- (B) equipment;
- (C) machinery; or
- (D) livestock;

(10) for non-SSI, proceeds from the sale of a home if the proceeds are conserved for the purchase of a new home and the funds so conserved are expended or committed to be expended in the month received or in the following month;

(11) for non-SSI, burial plots and funeral agreements that meet conditions established by the secretary of health and human services and approved by the secretary of social and rehabilitation services;

(12) for non-SSI, escrow accounts established for families participating in the family self-sufficiency program through the department of housing and urban development. Interest earned on the accounts shall also be exempted as income;

(13) for non-SSI, the cash value of any life insurance policy;

(14) for SSI, insurance not exceeding \$1,500.00 face value that is owned by any applicant or recipient. The face value shall not include and shall not be increased by accumulated dividends, but shall be decreased by any outstanding policy loan. If the total face value of insurance policies owned by any one individual exceeds \$1,500.00, the total cash surrender value of those policies shall be a nonexempt resource;

(15) for SSI, any personal property of a blind or disabled person that is covered by an approved plan of self-support;

(16) for SSI, burial plots that meet conditions established by the secretary of health and human services for the SSI program;

(17) for SSI, any burial contract that meets conditions established by the secretary of health and human services for the SSI program and approved by the secretary of social and rehabilitation services;

(18) for SSI, proceeds from the sale of a home if the proceeds are conserved for the purchase of a new home and the funds so conserved are expended or committed to be expended within three months of the sale;

(19) for SSI, a retroactive social security payment received by the applicant or recipient or an ineligible legally responsible person for the nine months following the month of receipt; and

(20) for SSI, pension funds owned by an applicant's or recipient's spouse or parent if the spouse or parent is not an applicant for or recipient of SSI.

(e) This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective May 1, 1981; amended, E-82-11, June 17, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended, T-83-17, July 1, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended, T-85-34, Dec.

(continued)

19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended May 1, 1988; amended, T-89-13, April 26, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended, T-30-5-1-90, May 1, 1990; amended, T-30-7-2-90, Aug. 30, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; amended Oct. 1, 1992; amended, T-30-11-16-93, Dec. 1, 1993; amended Jan. 3, 1994; amended July 1, 1994; amended Jan. 1, 1997; amended March 1, 1997; amended Oct. 1, 1997.)

**30-6-112. Income exempt from consideration as income and as a cash asset.** Exempted income shall be the following: (a) grants and scholarships provided for educational purposes;

(b) the value of benefits provided under the food stamp program;

(c) the value of the U.S. department of agriculture-donated foods;

(d) the value of supplemental food assistance received under the child nutrition act of 1966, as amended, and the special food service program for children under the national school lunch act, as amended;

(e) benefits received under title V, community services employment program, or title VII, nutrition program for the elderly, of the older Americans act of 1965, as amended;

(f) Indian funds distributed or held in trust, including interest and investment income accrued on such funds while held in trust and initial purchases made with such funds;

(g) distributions to natives under the Alaska native claims settlement act;

(h) payments provided to individual volunteers serving as foster grandparents, senior health aides and senior companions, and to persons serving in the service corps of retired executives and active corps of executives under titles II and III of the domestic service act of 1973;

(i) payments to individual volunteers under title I of public law, sec. 404(g) of public law 93-113 when the director of ACTION determines that the value of such payments, adjusted to reflect the number of hours such volunteers are serving, is less than the federal minimum wage;

(j) payments received under the uniform relocation assistance and real property acquisition policies act of 1970;

(k) death benefits from SSA, VA, railroad retirement, or other burial insurance policy when the benefits are used toward the cost of burial;

(l) money held in trust by VA for a child that VA determines may not be used for subsistence needs;

(m) retroactive corrective assistance payments in the month received or in the following month;

(n) income directly provided by vocational rehabilitation;

(o) benefits from special government programs at the discretion of the secretary, including energy assistance programs;

(p) reimbursements for out-of-pocket expenses in the month received and the following month;

(q) proceeds from any bona fide loan requiring repayment;

(r) payments granted to certain U.S. citizens of Japanese ancestry and resident Japanese aliens under title I of public law 100-383;

(s) payments granted to certain eligible Aleuts under title II of public law 100-383;

(t) agent orange settlement payments;

(u) federal major disaster and emergency assistance and comparable disaster assistance provided by state or local government or by disaster assistance organizations in conjunction with a presidentially declared disaster;

(v) payments granted to the Aroostook Band of Micmac Indians under public law 102-171;

(w) payments from the radiation exposure compensation trust fund made by the department of justice;

(x) special federal allowances paid monthly to children of Vietnam veterans who are born with spina bifida;

(y) for non-SSI, a one-time payment or a portion of a one-time payment from a cash settlement for the repair or replacement of property or for legal services, medical costs, or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within six months of its receipt;

(z) for non-SSI, cash donations that are based on need, do not exceed \$300 in any calendar quarter, and are received from one or more private, nonprofit, charitable organizations;

(aa) for non-SSI, foster care and adoption support payments;

(bb) for non-SSI, the amount of any earned income tax credit received. Such credit shall not be regarded as a cash asset in the month of receipt and in the following month;

(cc) for SSI, a one-time payment or a portion of a one-time payment from a cash settlement for the repair or replacement of property or for legal services, medical costs, or other required obligations to a third party, if the payment is expended or committed to be expended for the intended purpose within nine months of its receipt. This time period may be extended for good cause;

(dd) for SSI, in kind support, vouchers, or cash assistance for food, clothing, or shelter provided by public or private organizations or agencies, if the assistance is based on need;

(ee) for SSI, income necessary for fulfillment of an approved plan to achieve self-support established for a blind or disabled person;

(ff) for SSI, interest which is paid on excluded burial funds and left to accumulate;

(gg) for SSI, housing assistance from federal housing programs operated by state and local subdivisions;

(hh) for SSI, any portion of any financial assistance funded under title IV of the higher education act of 1965, as amended, or under bureau of Indian affairs student assistance programs that is made available for tuition, fees, books, supplies, transportation and miscellaneous personal supplies;

(ii) for SSI, payments occasioned by the death of another person to the extent that the payments have been expended or committed to be expended for purposes of the deceased person's last illness and burial;

(jj) for SSI, payments received from a state-administered victims' compensation fund. Such payments shall

not be regarded as a cash asset for the nine months following the month of receipt; and

(kk) for SSI, relocation assistance provided by a state or local government that is comparable to assistance provided under title II of the uniform relocation assistance and real property acquisitions act of 1970. Such assistance shall not be regarded as a cash asset for the nine months following the month of receipt. This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c and K.S.A. 1996 Supp. 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Jan. 1, 1988; amended May 1, 1988; amended, T-89-13, April 26, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended Jan. 2, 1990; amended, T-30-7-2-90, July 2, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; amended May 1, 1991; amended July 1, 1991; amended Jan. 2, 1992; amended Oct. 1, 1992; amended Oct. 1, 1993; amended Dec. 30, 1994; amended Oct. 1, 1997.)

**30-6-113. Income exempt as applicable income.** The following types of income shall be exempt as applicable income in the determination of eligibility: (a) income-in-kind;

(b) shelter cost participation payments. In shared living arrangements in which two families contribute toward the shelter obligations, any cash paid toward the shared shelter obligation by one family to the second family in the shared arrangement shall not be considered as income to the second family. This exemption shall not be applicable in a bona fide, commercial landlord-tenant arrangement;

(c) assistance payments in the month received;

(d) home energy assistance furnished on the basis of need by a federally regulated or state-regulated entity whose revenues are primarily derived on a rate-of-return basis, by a private, nonprofit organization, by a supplier of home heating oil or gas, or by a municipal utility company that provides home energy;

(e) income received from the job training partnership act of 1982. However, earnings received by individuals who are participating in on-the-job training programs shall be countable unless the individual is a child;

(f) incentive payments received by renal dialysis patients;

(g) irregular, occasional, or unpredictable monetary gifts that do not exceed \$50.00 per month per family group;

(h) tax refunds and rebates, except for earned income tax credits for non-SSI in accordance with K.A.R. 30-6-112 (y);

(i) VA aid and attendance and housebound allowances;

(j) VA payments resulting from unusual medical expenses;

(k) up to \$2,000.00 per year of income received by an individual Indian that is derived from leases or other uses of an individually owned trust or restricted lands;

(l) lump sum income;

(m) earned income of a child who is under the age of 19 years if the child is a student in elementary or secondary school or is working towards attainment of a G.E.D.;

(n) interest income that does not exceed \$50.00 per month per family group;

(o) for non-SSI, support payments that are covered by an assignment of support rights related to TAF or foster care and that are forwarded to the agency. However, a support refund, disbursed by the agency to the client, shall not be exempt;

(p) for non-SSI, housing assistance from federal housing programs;

(q) for non-SSI, the amount of any child support pass through payment;

(r) for non-SSI the amount of any child support arrearage payment;

(s) for SSI, any refund of taxes paid on real property or on food purchases;

(t) for SSI, one-third of the child support payments received by an eligible child from an absent parent;

(u) for SSI, work expenses of a blind recipient;

(v) for SSI, impairment-related work expenses of a disabled recipient;

(w) for SSI, incentive allowances and reimbursements for individuals in training to provide support services under the jobs training partnership act (JTPA) program administered by the state and local subdivisions;

(x) for SSI, the difference between the social security benefit entitlement in August, 1972, and the entitlement in September, 1972, for persons who were receiving cash assistance through the programs of aid to the aged, blind, or disabled (AABD) or aid to dependent children (ADC) in September, 1972 and who were entitled to a social security benefit in September, 1972. This exemption shall apply only if the exemption establishes eligibility without a spenddown;

(y) for SSI, the amount of all social security cost-of-living adjustments for a person who was concurrently receiving SSI and social security after April, 1977 and who would be eligible for SSI if the cost-of-living adjustments received since that person was last eligible for SSI were not considered as income;

(z) for SSI, income allocated and expended by an adult in an institutional living arrangement for the support of the adult's minor children if the adult does not have a spouse who continues to live in the community. The income allocation shall not exceed the amount necessary to bring the children's income up to the protected income level appropriate to their living arrangement;

(aa) for SSI, SSI payments that the person is not legally entitled to receive and that are subject to SSI recovery;

(bb) for SSI, the amount of the December, 1983 increase in social security disabled widow or widower benefits resulting from the changes in the actuarial reduction formula, and all subsequent cost-of-living adjustments, for a person who was concurrently receiving SSI and social security disabled widow and widower benefits under section 202(e) or 202(f) of the social security act, when the person meets all of the following conditions:

(1) The person became ineligible for SSI due solely to the 1983 actuarial increase.

(continued)

(2) The person has continually received social security disabled widow or widower benefits since the 1983 actuarial increase was first received.

(3) The person would be currently eligible for SSI if it were not for the 1983 actuarial increase and all subsequent cost-of-living adjustments.

(4) The person applied for medical assistance under this provision prior to July 1, 1988.

(cc) for SSI, reparation payments made under the Republic of Germany's federal law for compensation of nationalist socialist persecution;

(dd) for SSI, the amount of the social security adult disabled child benefit for an otherwise eligible SSI person age 18 or older who meets both of the following conditions.

(1) The person was receiving SSI benefits that began prior to age 22.

(2) The person lost SSI eligibility due solely to the person's becoming eligible for the adult disabled child benefits or to an increase in the adult disabled child benefits.

(ee) for SSI, the amount of social security early or disabled widow or widower benefits under section 202(e) or (f) of the social security act, if the person meets all of the following conditions.

(1) The person became ineligible for SSI because of the receipt of such benefits.

(2) The person would be currently eligible for SSI in the absence of such benefits.

(3) The person is not entitled to hospital insurance benefits under Part A of title XVIII of the social security act.

(ff) for SSI, the income of an SSI recipient that exceeds the protected income level for institutionalized persons for three months following the month of admission, when the social security administration determines that the stay in the institution is temporary and the person needs to continue to maintain and provide for the expenses of the home or another living arrangement to which the person may return;

(gg) for SSI, the income of an applicant's or recipient's spouse or parent that was counted or excluded in determining the amount of a public assistance payment, if the

spouse or parent is not an applicant for or recipient of SSI;

(hh) for SSI, the income of an applicant's or recipient's spouse or parent that is used to make support payments under a court order or title IV-D support order, if the spouse or parent is not an applicant for or recipient of SSI;

(ii) for SSI, the amount of VA pension received by a single veteran with no dependents or a surviving spouse with no children, if the pension has been reduced to \$90.00 or less because the veteran or spouse resides in a medicaid-approved nursing facility;

(jj) for SSI, foster care and adoption support payments;

(kk) for SSI, Austrian social insurance payments based, in whole or in part, on wage credits granted under the Austrian general social insurance act; and

(ll) for SSI, hostile fire pay received while in active military service.

This regulation shall take effect on and after October 1, 1997. (Authorized by and implementing K.S.A. 1996 Supp. 39-708c, 39-709; effective May 1, 1981; amended, E-82-19, Oct. 21, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-84-11, July 1, 1983; amended, T-84-25, Sept. 19, 1983; amended May 1, 1984; amended, T-85-26, Oct. 15, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-15, July 1, 1986; amended May 1, 1987; amended, T-88-14, July 1, 1987; amended, T-88-59, Jan. 1, 1988; amended May 1, 1988; amended, T-89-13, April 26, 1988; amended, T-30-7-1-88, July 1, 1988; amended Sept. 26, 1988; amended July 1, 1989; amended Oct. 1, 1989; amended, T-30-12-28-90, Jan. 2, 1991; amended May 1, 1991; amended July 1, 1991; amended, T-30-6-10-92, July 1, 1992; amended Oct. 1, 1992; amended Jan. 4, 1993; amended May 3, 1993; amended, T-30-11-16-93, Dec. 1, 1993; amended Jan. 3, 1994; amended Sept. 30, 1994; amended Dec. 30, 1994; amended March 1, 1997; amended July 1, 1997; amended Oct. 1, 1997.)

Rochelle Chronister  
Secretary of Social and  
Rehabilitation Services

Doc. No. 019625

## INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1996 Supplement to the *Kansas Administrative Regulations*.

### AGENCY 1: DEPARTMENT OF ADMINISTRATION

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1-1-1	Amended	V. 15, p. 703
1-1-2	Revoked	V. 15, p. 704
1-1-3	Revoked	V. 15, p. 704
1-1-4	Revoked	V. 15, p. 704

1-2-8	Amended
1-2-14	Amended
1-2-35	Amended
1-2-53	Revoked
1-2-57	Amended
1-2-68	Revoked
1-2-72	Amended
1-2-88	Amended
1-3-1	Revoked
1-3-3	Revoked
1-3-4	Revoked
1-4-2	Amended
1-4-6	Revoked
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1-5-6	Revoked
1-5-7	Amended
1-5-12	Amended
1-5-15	Amended
1-5-22	Amended
1-5-24	Amended
1-5-26	Amended
1-6-2	Amended
1-6-8	Amended
1-6-21	Amended

V. 16, p. 1178	1-6-22	Revoked
V. 16, p. 1178	1-6-22a	Amended
V. 16, p. 1178	1-6-23	Amended
V. 15, p. 704	1-6-24	Amended
V. 15, p. 704	1-6-27	Amended
V. 16, p. 1178	1-6-31	Amended
V. 15, p. 704	1-6-33	Amended
V. 15, p. 704	1-8-1	Revoked
V. 15, p. 704	1-8-5	Amended
V. 15, p. 704	1-8-7	Revoked
V. 15, p. 704	1-9-2	Amended
V. 15, p. 704	1-9-7c	Amended
V. 15, p. 704	1-9-9	Revoked
V. 15, p. 704	1-9-13	Amended
V. 15, p. 704	1-9-15	Revoked
V. 15, p. 704	1-9-16	Revoked
V. 15, p. 704	1-9-17	Revoked
V. 15, p. 704	1-9-19a	Amended
V. 15, p. 705	1-9-23	Amended
V. 15, p. 705	1-9-26	Amended
V. 15, p. 706	1-9-27	Amended
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1-13-3	Revoked	V. 15, p. 714
1-13-4	Revoked	V. 15, p. 714
1-14-6	Revoked	V. 15, p. 714
1-14-7	Amended	V. 15, p. 714
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1-14-11	Amended	V. 15, p. 715
1-14-12a	New	V. 16, p. 170
1-16-2a	Amended	V. 16, p. 1210
1-16-2b	Amended	V. 16, p. 1210
1-16-2d	Revoked	V. 16, p. 1211
1-16-2e	Amended	V. 16, p. 1211
1-16-18	Amended	V. 16, p. 1211
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1-17-10	Amended	V. 15, p. 1706
1-18-1a	Amended	V. 16, p. 1212
1-45-4	Amended	V. 15, p. 1706
1-45-7	Amended	V. 15, p. 1706
1-45-8	Amended	V. 15, p. 1706
1-63-2	Amended	V. 16, p. 978

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4-16-1a	Amended	V. 16, p. 1356
4-16-1c	Amended	V. 16, p. 1356
4-17-1a	Amended	V. 16, p. 1357
4-17-1c	Amended	V. 16, p. 1357

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

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5-25-10	Amended	V. 15, p. 410-412
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5-50-2	Amended	V. 15, p. 1861
5-50-3	Revoked	V. 15, p. 1862
5-50-4	Amended	V. 15, p. 1862
5-50-5	Amended	V. 15, p. 1862
5-50-6	Amended	V. 15, p. 1863
5-50-7	New	V. 15, p. 1863
5-50-8	New	V. 15, p. 1863

**AGENCY 7: SECRETARY OF STATE**

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7-18-3	New	V. 15, p. 1508
7-19-1	Amended	V. 16, p. 821
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7-19-7	New	V. 16, p. 822
7-23-2	Amended	V. 15, p. 1927
7-23-4	Amended	V. 15, p. 1927
7-23-8	Revoked	V. 15, p. 1927
7-38-1	New	V. 15, p. 1927
7-38-2	New	V. 15, p. 1927

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9-19-11	Amended	V. 15, p. 1671-1677
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9-25-15	New	V. 15, p. 1677-1684
9-26-1	New	V. 15, p. 1684

**AGENCY 10: KANSAS BUREAU OF INVESTIGATION**

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10-20-3	Revoked	V. 16, p. 1049
10-20-4	Amended	V. 16, p. 1049

**AGENCY 11: STATE CONSERVATION COMMISSION**

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11-8-8	Amended	V. 15, p. 1401

**AGENCY 16: ATTORNEY GENERAL**

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17-11-12	Revoked	V. 15, p. 1131
17-11-13	Amended	V. 15, p. 1131
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17-11-19	Amended	V. 15, p. 1131, 1132
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17-11-23	New	V. 15, p. 1132
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17-12-2	Amended	V. 15, p. 1132
17-16-1	Amended	V. 15, p. 1132
17-16-2	Amended	V. 15, p. 1132
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17-16-9	Amended	V. 15, p. 1133

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17-18-4	Revoked	V. 15, p. 1134

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**AGENCY 26: DEPARTMENT ON AGING**

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26-6-8	Revoked	V. 15, p. 1626
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28-1-9	Revoked	V. 15, p. 550
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28-1-13	Amended	V. 15, p. 970
28-1-14	Amended	V. 15, p. 970
28-1-15	Amended	V. 15, p. 971
28-1-19	Revoked	V. 15, p. 550
28-1-21	Revoked	V. 15, p. 550
28-1-22	Revoked	V. 15, p. 550

28-3-5	Revoked	V. 15, p. 550
28-3-6	Revoked	V. 15, p. 550
28-4-72	Revoked	V. 15, p. 551
28-4-400	Amended	V. 16, p. 1420
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28-4-403	Amended	V. 16, p. 1421
28-4-404	Amended	V. 16, p. 1422
28-4-405	Amended	V. 16, p. 1422
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28-4-406	Amended	V. 16, p. 1424
28-4-407	Amended	V. 16, p. 1424
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28-4-414	Amended	V. 16, p. 1426
28-4-415	Amended	V. 16, p. 1427
28-4-416	Amended	V. 16, p. 1427
28-4-431	Revoked	V. 15, p. 551
28-4-506	Revoked	V. 15, p. 551
28-4-507	Revoked	V. 15, p. 551
28-4-508	Revoked	V. 15, p. 551
28-4-550	Amended	V. 16, p. 1247
28-4-551	Revoked	V. 16, p. 1248
28-4-552	Amended	V. 16, p. 1248
28-4-553	Revoked	V. 16, p. 1248
28-4-554	Revoked	V. 16, p. 1248
28-4-555	Revoked	V. 16, p. 1248
28-4-556	Amended	V. 16, p. 1248

28-4-557		
through		
28-4-563	Revoked	V. 16, p. 1249
28-4-565	Amended	V. 16, p. 1249
28-4-566	Revoked	V. 16, p. 1249
28-4-567	Revoked	V. 16, p. 1249
28-4-569	Amended	V. 16, p. 1249
28-4-570	Revoked	V. 16, p. 1250
28-4-571	Revoked	V. 16, p. 1250
28-4-572	Revoked	V. 16, p. 1250
28-5-2	Amended	V. 16, p. 1355
28-5-6	Amended	V. 16, p. 1355
28-5-7	Amended	V. 16, p. 1355
28-5-8	Revoked	V. 15, p. 551
28-5-9	Amended	V. 16, p. 1355
28-6-1	Revoked	V. 15, p. 551
28-6-2	Revoked	V. 15, p. 551

28-7-1		
through		
28-7-9	Revoked	V. 15, p. 551
28-8-1	Revoked	V. 15, p. 551
28-10-36	Revoked	V. 15, p. 551
28-10-40	Revoked	V. 15, p. 551
28-10-41	Revoked	V. 15, p. 551

28-11-1		
through		
28-11-6	Revoked	V. 15, p. 551
28-13-10	Revoked	V. 15, p. 551
28-13-11	Revoked	V. 15, p. 551

28-16-50		
through		
28-16-54	Revoked	V. 15, p. 551
28-16-56a	Revoked	V. 15, p. 1402
28-16-56b	Revoked	V. 15, p. 1402
28-16-56c	New	V. 15, p. 1402
28-16-56d	New	V. 15, p. 1403
28-16-59	Amended	V. 15, p. 1403
28-16-65	Revoked	V. 15, p. 551
28-16-67	Revoked	V. 15, p. 551
28-17-5	Revoked	V. 15, p. 551
28-17-8	Revoked	V. 15, p. 551
28-19-45	Revoked	V. 15, p. 183
28-19-46	Revoked	V. 15, p. 183
28-19-47	Revoked	V. 15, p. 183
28-19-79	New	V. 16, p. 584

28-19-83		
through		
28-19-96	Revoked	V. 15, p. 551
28-19-98	Revoked	V. 15, p. 551
28-19-98a	Revoked	V. 15, p. 551

28-19-99		
through		
28-19-108	Revoked	V. 15, p. 552
28-19-108a	Revoked	V. 15, p. 552

(continued)



28-19-109	Revoked	V. 15, p. 552	28-35-201	New	V. 15, p. 1598	30-4-71w	Revoked	V. 16, p. 256
28-19-119			28-35-202	New	V. 15, p. 1599	30-4-72	Revoked	V. 16, p. 256
to			28-35-290	New	V. 15, p. 1601	30-4-72w	Revoked	V. 16, p. 256
28-19-121a	Revoked	V. 15, p. 552	28-35-291	New	V. 15, p. 1601	30-4-73	Revoked	V. 16, p. 256
28-19-123	Revoked	V. 15, p. 552	28-35-362	Amended	V. 15, p. 1602	30-4-74	Revoked	V. 16, p. 256
28-19-124	Revoked	V. 15, p. 552	28-37-10			30-4-74w	Revoked	V. 16, p. 256
28-19-125	Revoked	V. 15, p. 552	through			30-4-78	Revoked	V. 16, p. 256
28-19-127			28-37-14	Revoked	V. 15, p. 553	30-4-80	Amended	V. 16, p. 256
through			28-39-144	Amended	V. 16, p. 177	30-4-85a	Revoked	V. 16, p. 256
28-19-131	Revoked	V. 15, p. 552	28-39-145	Amended	V. 16, p. 179	30-4-90	Amended	V. 16, p. 257
28-19-133			28-39-146	Amended	V. 16, p. 181	30-4-90w	Revoked	V. 16, p. 259
through			28-39-147	Amended	V. 16, p. 181	30-4-95	Amended	V. 16, p. 259
28-19-141	Revoked	V. 15, p. 552	28-39-148	Amended	V. 16, p. 182	30-4-96	Amended	V. 16, p. 259
28-19-149			28-39-149	Amended	V. 16, p. 183	30-4-100	Amended	V. 16, p. 260
through			28-39-150	Amended	V. 16, p. 184	30-4-100w	Revoked	V. 16, p. 260
28-19-162	Revoked	V. 15, p. 552	28-39-151	Amended	V. 16, p. 184	30-4-101	Amended	V. 16, p. 260
28-19-202	Amended	V. 16, p. 176	28-39-152	Amended	V. 16, p. 185	30-4-102	Amended	V. 16, p. 261
28-19-645	New	V. 15, p. 183	28-39-153	Amended	V. 16, p. 187	30-4-105	Revoked	V. 16, p. 261
28-19-646	New	V. 15, p. 183	28-39-154	Amended	V. 16, p. 187	30-4-105w	Revoked	V. 16, p. 261
28-19-647	New	V. 15, p. 183	28-39-155	Amended	V. 16, p. 188	30-4-106	Amended	V. 16, p. 261
28-19-648	New	V. 15, p. 184	28-39-156	Amended	V. 16, p. 188	30-4-106w	Revoked	V. 16, p. 262
28-19-720	Amended	V. 16, p. 823	28-39-157	Amended	V. 16, p. 189	30-4-108	Amended	V. 16, p. 262
28-19-735	Amended	V. 16, p. 823	28-39-158	Amended	V. 16, p. 190	30-4-109	Amended	V. 16, p. 262
28-19-750	Amended	V. 16, p. 823	28-39-159	Amended	V. 16, p. 192	30-4-109w	Revoked	V. 16, p. 263
28-19-800	New	V. 15, p. 257	28-39-160	Amended	V. 16, p. 192	30-4-110	Amended	V. 16, p. 1001
28-19-801	New	V. 15, p. 258	28-39-161	Amended	V. 16, p. 192	30-4-110w	Revoked	V. 16, p. 264
28-21-3	Revoked	V. 15, p. 552	28-39-162	Amended	V. 16, p. 193	30-4-111	Amended	V. 16, p. 1002
28-21-90a	Revoked	V. 15, p. 552	28-39-162a	Amended	V. 16, p. 194	30-4-111w	Revoked	V. 16, p. 265
28-21-91a	Revoked	V. 15, p. 552	28-39-162b	Amended	V. 16, p. 199	30-4-112w	Revoked	V. 16, p. 265
28-21-91b	Revoked	V. 15, p. 552	28-39-162c	Amended	V. 16, p. 200	30-4-113	Amended	V. 16, p. 1002
28-21-92a	Revoked	V. 15, p. 552	28-39-163	Amended	V. 16, p. 204	30-4-113w	Revoked	V. 16, p. 266
28-21-93a	Revoked	V. 15, p. 552	28-39-240			30-4-120	Amended	V. 16, p. 266
28-21-94a	Revoked	V. 15, p. 552	through			30-4-120w	Revoked	V. 16, p. 266
28-21-96a	Revoked	V. 15, p. 552	28-39-256	New	V. 16, p. 206-213	30-4-121	Revoked	V. 16, p. 915
28-21-98a	Revoked	V. 15, p. 552	28-41-1			30-4-122a	Revoked	V. 16, p. 266
28-21-99a	Revoked	V. 15, p. 552	through			30-4-130	Amended	V. 16, p. 266
28-21-102			28-41-9	Revoked	V. 15, p. 553	30-4-130w	Revoked	V. 16, p. 268
through			28-42-1	Revoked	V. 15, p. 553	30-4-140	Amended	V. 16, p. 268
28-21-112	Revoked	V. 15, p. 552	28-42-3			30-4-140w	Revoked	V. 16, p. 268
28-23-5	Revoked	V. 15, p. 552	through			30-5-58	Amended	V. 16, p. 1003
28-23-8	Revoked	V. 15, p. 552	28-42-7	Revoked	V. 15, p. 553	30-5-64	Amended	V. 16, p. 1008
28-23-14	Revoked	V. 15, p. 552	28-42-9			30-5-70	Amended	V. 15, p. 1017
28-23-15	Revoked	V. 15, p. 552	through			30-5-80	Revoked	V. 16, p. 1010
28-23-25	Revoked	V. 15, p. 552	28-42-16	Revoked	V. 15, p. 553	30-5-81	Amended	V. 15, p. 925
28-23-33	Revoked	V. 15, p. 552	28-49-1			30-5-88	Amended	V. 15, p. 925
28-23-60			through			30-5-101	Amended	V. 16, p. 1010
through			28-49-8	Revoked	V. 15, p. 553	30-5-109	Amended	V. 16, p. 1010
28-23-66	Revoked	V. 15, p. 552	28-68-1			30-5-118a	Amended	V. 16, p. 1010
28-23-69	Revoked	V. 15, p. 552	through			30-5-300		
28-23-72	Revoked	V. 15, p. 553	28-68-9	New	V. 15, p. 1931-1934	through		
28-23-74	Revoked	V. 15, p. 553				30-5-308	New	V. 15, p. 1877-1880
28-23-76	Revoked	V. 15, p. 553				30-5-300	Amended	V. 16, p. 1013
28-23-77	Revoked	V. 15, p. 553				30-5-307	Amended	V. 16, p. 1016
28-26-80						30-5-309	New	V. 16, p. 1016
through						30-6-34	Amended	V. 16, p. 268
28-26-87	Revoked	V. 15, p. 553				30-6-35	Amended	V. 16, p. 1017
28-26-90a	Revoked	V. 15, p. 553				30-6-35w	Revoked	V. 16, p. 268
28-28-1	Revoked	V. 15, p. 553				30-6-41	Amended	V. 16, p. 268
28-28-2	Revoked	V. 15, p. 553				30-6-41w	Revoked	V. 16, p. 269
28-29-1	Revoked	V. 15, p. 553				30-6-50w	Revoked	V. 16, p. 269
28-29-28	Amended	V. 16, p. 1427				30-6-52	Amended	V. 16, p. 269
28-29-28a	New	V. 16, p. 1427				30-6-52w	Revoked	V. 16, p. 269
28-29-29	Amended	V. 16, p. 1427				30-6-53	Amended	V. 15, p. 1880
28-29-29a	New	V. 16, p. 1428				30-6-53w	Revoked	V. 16, p. 269
28-29-30	Amended	V. 16, p. 1428				30-6-54	Amended	V. 16, p. 688
28-29-31	Amended	V. 16, p. 1429				30-6-54w	Revoked	V. 16, p. 270
28-29-32	Amended	V. 16, p. 1431				30-6-55	Amended	V. 16, p. 270
28-29-33	Amended	V. 16, p. 1431				30-6-55w	Revoked	V. 16, p. 270
28-29-34						30-6-56w	Revoked	V. 16, p. 270
through						30-5-59	Amended	V. 16, p. 270
28-29-36	Revoked	V. 16, p. 1432				30-6-59w	Revoked	V. 16, p. 270
28-29-83	Revoked	V. 15, p. 553				30-6-60w	Revoked	V. 16, p. 270
28-29-98	Amended	V. 15, p. 1804				30-6-65	Amended	V. 16, p. 270
28-29-100	Amended	V. 15, p. 1804				30-6-65w	Revoked	V. 16, p. 271
28-29-103	Amended	V. 15, p. 1804				30-6-70	Amended	V. 16, p. 271
28-31-4	Amended	V. 15, p. 297				30-6-70w	Revoked	V. 16, p. 271
28-31-10	Amended	V. 15, p. 301				30-6-72	Revoked	V. 16, p. 271
28-31-10a	Amended	V. 16, p. 1048				30-6-72w	Revoked	V. 16, p. 271
28-33-1	Revoked	V. 15, p. 495				30-6-73	Revoked	V. 16, p. 271
28-33-11	Revoked	V. 15, p. 495				30-6-77w	Revoked	V. 16, p. 272
28-33-12	Amended	V. 15, p. 495				30-6-78w	Revoked	V. 16, p. 272
28-34-11	Amended	V. 15, p. 497				30-6-79	Revoked	V. 16, p. 272
28-35-178b	Amended	V. 15, p. 1592				30-6-81w	Revoked	V. 16, p. 272
28-35-180a	Amended	V. 15, p. 1593				30-6-82w	Revoked	V. 16, p. 272
28-35-184b	New	V. 15, p. 1596				30-6-85w	Revoked	V. 16, p. 272
28-35-193b	New	V. 15, p. 1596				30-6-86w	Revoked	V. 16, p. 272



30-6-87w	Revoked	V. 16, p. 272
30-6-94w	Revoked	V. 16, p. 272
30-6-103	Amended	V. 15, p. 1882
30-6-103w	Revoked	V. 16, p. 272
30-6-105	Revoked	V. 16, p. 272
30-6-105w	Revoked	V. 16, p. 272
30-6-106	Amended	V. 16, p. 272
30-6-106w	Revoked	V. 16, p. 274
30-6-107w	Revoked	V. 16, p. 274
30-6-108	Amended	V. 16, p. 274
30-6-109	Amended	V. 16, p. 275
30-6-109w	Revoked	V. 16, p. 276
30-6-110	Amended	V. 16, p. 276
30-6-110w	Revoked	V. 16, p. 277
30-6-111	Amended	V. 16, p. 277
30-6-111w	Revoked	V. 16, p. 278
30-6-112w	Revoked	V. 16, p. 278
30-6-113	Amended	V. 16, p. 1017
30-6-113w	Revoked	V. 16, p. 279
30-6-140	Amended	V. 16, p. 279
30-6-150w	Revoked	V. 16, p. 280
30-7-65	Amended	V. 16, p. 280
30-7-100	Amended	V. 16, p. 280
30-7-102	Amended	V. 15, p. 927
30-7-103	Amended	V. 15, p. 929
30-7-104	Amended	V. 15, p. 929
30-10-1a	Amended	V. 15, p. 1887
30-10-2	Amended	V. 15, p. 1890
30-10-7	Amended	V. 15, p. 1890
30-10-15a	Amended	V. 15, p. 1891
30-10-17	Amended	V. 15, p. 1892
30-10-19	Amended	V. 15, p. 1894
30-10-21	Amended	V. 15, p. 929
30-10-25	Amended	V. 15, p. 1894
30-10-217	Amended	V. 15, p. 930
30-10-218	Amended	V. 15, p. 550
30-41-1	through	
30-41-5	Revoked	V. 15, p. 930
30-41-6a	Revoked	V. 15, p. 930
30-41-6b	Revoked	V. 15, p. 1895
30-41-6c	through	
30-41-6h	Revoked	V. 15, p. 930, 931
30-41-7a	through	
30-41-7i	Revoked	V. 15, p. 931
30-41-8	Revoked	V. 15, p. 931
30-41-10	through	
30-41-20	Revoked	V. 15, p. 931
30-46-10	Amended	V. 15, p. 1895
30-46-13	Amended	V. 15, p. 1896
30-46-15	Amended	V. 15, p. 1896
30-46-16	Amended	V. 15, p. 1896
30-46-17	Amended	V. 15, p. 1896
30-63-1	New	V. 15, p. 931
30-63-10	through	
30-63-14	New	V. 15, p. 931-933
30-63-20	New	V. 15, p. 933
30-63-21	New	V. 15, p. 933
30-63-22	New	V. 15, p. 934
30-63-23	New	V. 15, p. 1215
30-63-24	through	
30-63-31	New	V. 15, p. 934-937
30-64-1	New	V. 15, p. 937
30-64-10	through	
30-64-13	New	V. 15, p. 937
30-64-20	through	
30-64-34	New	V. 15, p. 938-942

#### AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-1-1	Revoked	V. 16, p. 1250
36-1-1a	Revoked	V. 16, p. 1251
36-1-2	Revoked	V. 16, p. 1251
36-1-3	Revoked	V. 16, p. 1251
36-1-8	Revoked	V. 16, p. 1251
36-1-9	Revoked	V. 16, p. 1251
36-1-10	Revoked	V. 16, p. 1251
36-1-26	Revoked	V. 16, p. 1251

36-1-27	Revoked	V. 16, p. 1251
36-1-35	through	
36-1-38	New	V. 16, p. 1251-1255
36-35-1	Revoked	V. 16, p. 1256
36-39-1	Amended	V. 16, p. 1078
36-39-2	Amended	V. 16, p. 1078
36-39-3	Amended	V. 16, p. 1078
36-39-6	Amended	V. 16, p. 1080

#### AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-19	Amended	V. 16, p. 685
40-1-42	New	V. 16, p. 41
40-1-43	New	V. 16, p. 41
40-1-44	New	V. 16, p. 41
40-2-21	Revoked	V. 16, p. 972
40-2-24	New	V. 16, p. 482
40-3-5	Amended	V. 16, p. 686
40-3-26	Amended	V. 16, p. 686
40-3-27	Amended	V. 16, p. 686
40-3-49	Amended	V. 16, p. 686
40-4-17	Amended	V. 15, p. 77
40-4-35	Amended	V. 15, p. 622
40-4-37	Amended	V. 15, p. 77
40-4-37d	Amended	V. 15, p. 78
40-4-41c	Amended	V. 16, p. 686
40-5-109	Amended	V. 15, p. 78
40-7-20a	Amended	V. 16, p. 483
40-7-21	Amended	V. 16, p. 484
40-8-7	Amended	V. 16, p. 687

#### AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT (MINED-LAND CONSERVATION AND RECLAMATION)

Reg. No.	Action	Register
47-1-1	Revoked	V. 16, p. 585
47-1-3	Amended	V. 16, p. 585
47-1-4	Revoked	V. 16, p. 585
47-1-8	Amended	V. 16, p. 585
47-1-9	Amended	V. 16, p. 586
47-1-10	Revoked	V. 16, p. 586
47-1-11	Amended	V. 16, p. 586
47-2-14	Revoked	V. 16, p. 586
47-2-21	Amended	V. 16, p. 586
47-2-53	Amended	V. 16, p. 586
47-2-53a	Amended	V. 16, p. 586
47-2-58	Amended	V. 16, p. 586
47-2-64	Amended	V. 16, p. 586
47-2-67	Amended	V. 16, p. 587
47-2-74	Amended	V. 16, p. 587
47-2-75	Amended	V. 16, p. 587
47-3-1	Amended	V. 16, p. 587
47-3-2	Amended	V. 16, p. 588
47-3-3a	Amended	V. 16, p. 588
47-3-42	Amended	V. 16, p. 588
47-4-14a	Amended	V. 16, p. 590
47-4-15	Amended	V. 16, p. 595
47-4-16	Amended	V. 16, p. 598
47-4-17	Amended	V. 16, p. 598
47-5-5a	Amended	V. 16, p. 599
47-5-16	Amended	V. 16, p. 601
47-6-1	Amended	V. 16, p. 601
47-6-2	Amended	V. 16, p. 601
47-6-3	Amended	V. 16, p. 601
47-6-4	Amended	V. 16, p. 602
47-6-6	Amended	V. 16, p. 602
47-6-7	Amended	V. 16, p. 602
47-6-8	Amended	V. 16, p. 603
47-6-9	Amended	V. 16, p. 603
47-6-10	Amended	V. 16, p. 603
47-7-2	Amended	V. 16, p. 603
47-8-9	Amended	V. 16, p. 604
47-8-11	Amended	V. 16, p. 604
47-9-1	Amended	V. 16, p. 604
47-9-2	Amended	V. 16, p. 607
47-9-4	Amended	V. 16, p. 607
47-10-1	Amended	V. 16, p. 608
47-11-8	Amended	V. 16, p. 608
47-12-4	Amended	V. 16, p. 608
47-13-4	Amended	V. 16, p. 609
47-13-5	Amended	V. 16, p. 609
47-13-6	Amended	V. 16, p. 610
47-14-7	Amended	V. 16, p. 610
47-15-1a	Amended	V. 16, p. 610

47-15-3	Amended	V. 16, p. 611
47-15-4	Amended	V. 16, p. 611
47-15-7	Amended	V. 16, p. 611
47-15-8	Amended	V. 16, p. 611
47-15-15	Amended	V. 16, p. 612
47-15-17	Amended	V. 16, p. 612
47-16-1	through	
47-16-8	Amended	V. 16, p. 612-614
47-16-9	New	V. 16, p. 614
47-16-10	New	V. 16, p. 614
47-16-11	New	V. 16, p. 614

#### AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-45-10	through	
49-45-19	Revoked	V. 15, p. 1709
49-49-1	Amended	V. 16, p. 1120
49-53-1	Revoked	V. 15, p. 1709
49-53-2	Revoked	V. 15, p. 1709

#### AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-21	Amended	V. 15, p. 1707
50-2-25a	through	
50-2-25e	New	V. 16, p. 1047

#### AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 16, p. 1329

#### AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-104	New	V. 16, p. 436
60-2-101	Amended	V. 16, p. 437
60-2-102	through	
60-2-108	New	V. 16, p. 437-440
60-3-106	Amended	V. 16, p. 440
60-9-109	Revoked	V. 15, p. 1807
60-11-103	Amended	V. 15, p. 1931
60-11-108	Amended	V. 15, p. 115
60-11-109	Revoked	V. 15, p. 115
60-11-112	Revoked	V. 15, p. 115
60-11-114	Revoked	V. 15, p. 115
60-11-117	Revoked	V. 15, p. 115
60-12-106	Amended	V. 15, p. 115
60-12-109	Revoked	V. 15, p. 116
60-13-112	Amended	V. 15, p. 116
60-13-115	Revoked	V. 15, p. 116
60-16-102	Amended	V. 15, p. 1807
60-16-104	Amended	V. 15, p. 1807

#### AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-3-10	Amended	V. 16, p. 1250

#### AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-6	Amended	V. 16, p. 300
65-5-9	New	V. 16, p. 249
65-5-10	New	V. 16, p. 250
65-10-1	Amended	V. 16, p. 1176

#### AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 15, p. 184
66-6-6	Amended	V. 15, p. 185
66-7-3	Amended	V. 15, p. 185
66-8-1	Amended	V. 15, p. 185
66-10-1	Amended	V. 15, p. 185
66-12-1	Amended	V. 15, p. 185

(continued)

66-14-1 through  
66-14-12 New V. 15, p. 186, 187

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1f	Amended	V. 16, p. 1176
68-1-2a	New	V. 16, p. 1176
68-2-5	Amended	V. 16, p. 1177
68-2-9	Amended	V. 16, p. 1177
68-20-15a	Amended	V. 16, p. 1177

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-1-1	Amended	V. 15, p. 292
69-1-2	Amended	V. 15, p. 292
69-1-3	Revoked	V. 15, p. 292
69-1-4	Amended	V. 15, p. 292
69-1-7	Revoked	V. 15, p. 293
69-1-8	Amended	V. 15, p. 293
69-2-1	Revoked	V. 15, p. 293
69-3-1	Amended	V. 15, p. 293
69-3-2	Revoked	V. 15, p. 293
69-3-3	Amended	V. 15, p. 293
69-3-4	Amended	V. 15, p. 294
69-3-5	Revoked	V. 15, p. 294
69-3-6	Amended	V. 15, p. 294
69-3-7	Amended	V. 15, p. 294
69-3-8	Amended	V. 15, p. 742
69-3-9	Amended	V. 15, p. 294
69-3-10	Revoked	V. 15, p. 294
69-3-11	Revoked	V. 15, p. 294
69-3-17	Revoked	V. 15, p. 294
69-3-19	Revoked	V. 15, p. 294
69-3-22 through		
69-3-25	Revoked	V. 15, p. 294
69-3-26	New	V. 15, p. 294
69-3-27	New	V. 15, p. 294
69-3-28	New	V. 15, p. 294
69-4-2	Amended	V. 15, p. 294
69-4-6	Revoked	V. 15, p. 295
69-4-9	Amended	V. 15, p. 295
69-4-11	Revoked	V. 15, p. 295
69-4-12	Amended	V. 15, p. 295
69-5-2	Revoked	V. 15, p. 295
69-5-6	Amended	V. 15, p. 295
69-5-10	Revoked	V. 15, p. 295
69-5-13	Revoked	V. 15, p. 295
69-5-14	New	V. 15, p. 295
69-5-15	New	V. 15, p. 295
69-5-16	New	V. 15, p. 295
69-6-1	Revoked	V. 15, p. 295
69-6-2	Amended	V. 15, p. 295
69-6-5	Amended	V. 15, p. 295
69-6-6	Revoked	V. 15, p. 296
69-6-7	Amended	V. 15, p. 296
69-8-2	Revoked	V. 15, p. 296
69-8-3	Revoked	V. 15, p. 296
69-8-4	Revoked	V. 15, p. 296
69-8-6	Revoked	V. 15, p. 296
69-11-1	Amended	V. 15, p. 296
69-11-2	Amended	V. 15, p. 296
69-13-1	Amended	V. 15, p. 296
69-13-2	Amended	V. 15, p. 296
69-14-1 through		
69-14-5	New	V. 15, p. 971, 972
69-15-1 through		
69-15-30	New	V. 16, p. 1281-1288

**AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS**

Reg. No.	Action	Register
70-1-1	Amended	V. 16, p. 173
70-1-6	New	V. 16, p. 441
70-2-1	Revoked	V. 16, p. 173
70-2-2	Revoked	V. 16, p. 173
70-2-3	Revoked	V. 16, p. 173
70-4-1 through		
70-4-7	Revoked	V. 16, p. 173
70-4-8	New	V. 16, p. 441
70-4-9	New	V. 16, p. 443
70-4-10	New	V. 16, p. 443

70-5-1	Amended	V. 16, p. 173
70-7-1	New	V. 16, p. 173
70-8-1	New	V. 16, p. 174
70-9-1	New	V. 16, p. 1289
70-10-1	New	V. 16, p. 175

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-4-1	Amended	V. 15, p. 1860
71-4-3	Amended	V. 15, p. 1860

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-5	Revoked	V. 16, p. 1119
74-1-6	New	V. 16, p. 1119
74-2-1	Amended	V. 16, p. 1119
74-12-1	Amended	V. 16, p. 1120

**AGENCY 75: CONSUMER CREDIT COMMISSIONER**

Reg. No.	Action	Register
75-6-3	Revoked	V. 15, p. 1129
75-6-4	Revoked	V. 15, p. 1129
75-6-7	Revoked	V. 15, p. 1129
75-6-8	Revoked	V. 15, p. 1129
75-6-9	Amended	V. 15, p. 1379
75-6-10	Revoked	V. 15, p. 1129
75-6-11	Revoked	V. 15, p. 1129
75-6-16	Revoked	V. 15, p. 1129
75-6-17	Revoked	V. 15, p. 1129
75-6-18	Revoked	V. 15, p. 1129
75-6-25	Revoked	V. 15, p. 1129
75-6-26	Amended	V. 16, p. 301
75-6-29	Revoked	V. 15, p. 1129
75-8-1 through		
75-8-11	Revoked	V. 15, p. 1129

**AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM**

Reg. No.	Action	Register
80-8-2	Amended	V. 15, p. 1832
80-8-3	Amended	V. 15, p. 1832
80-8-4	Amended	V. 15, p. 1833
80-8-7	Amended	V. 15, p. 1833

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-1-1	Amended	V. 15, p. 697
81-2-1	Amended	V. 15, p. 698
81-3-1	Amended	V. 15, p. 698
81-3-4	Revoked	V. 15, p. 700
81-4-1	Amended	V. 15, p. 700
81-5-1	Revoked	V. 15, p. 701
81-5-2	Revoked	V. 15, p. 701
81-5-3	Amended	V. 15, p. 701
81-5-4	Amended	V. 15, p. 701
81-5-7	Amended	V. 15, p. 701
81-5-9	Amended	V. 15, p. 702
81-6-1	Amended	V. 15, p. 702
81-7-2	Amended	V. 15, p. 703
81-8-1	Revoked	V. 15, p. 703
81-9-1	Revoked	V. 15, p. 703
81-13-1	Revoked	V. 15, p. 703

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-101	Amended	V. 15, p. 1538
82-3-103	Amended	V. 15, p. 1541
82-3-103a	Amended	V. 16, p. 1332
82-3-120	Amended	V. 16, p. 1332
82-3-120a	New	V. 16, p. 1332
82-3-123	Amended	V. 16, p. 1333
82-3-129	Revoked	V. 16, p. 1333
82-3-130	Amended	V. 16, p. 1333
82-3-136	Amended	V. 16, p. 1333
82-3-141	Revoked	V. 16, p. 1333
82-3-206	Amended	V. 15, p. 1670
82-3-304	Amended	V. 16, p. 1333
82-3-307	Amended	V. 15, p. 1670
82-3-308	Revoked	V. 16, p. 1334
82-3-309	Revoked	V. 16, p. 1334
82-3-312	Amended	V. 16, p. 1334
82-3-313	Revoked	V. 16, p. 1334

82-3-500 through		
82-3-504	Revoked	V. 16, p. 1334
82-3-700 through		
82-3-704	New	V. 15, p. 1542-1544

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-5	Amended	V. 15, p. 598
86-1-11	Amended	V. 15, p. 1831
86-3-25	Amended	V. 15, p. 1331

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-68c	Amended	V. 15, p. 1863
91-5-3	Amended	V. 15, p. 1864
91-10-2	Amended	V. 16, p. 409
91-12-22	Amended	V. 15, p. 226
91-12-61	Amended	V. 15, p. 230
91-31-1	Revoked	V. 15, p. 1864
91-31-2	Revoked	V. 15, p. 1864
91-31-3	Revoked	V. 15, p. 1864
91-31-4	Revoked	V. 15, p. 1864
91-31-4a	Revoked	V. 15, p. 1864
91-31-5	Revoked	V. 15, p. 1864
91-31-6	Revoked	V. 15, p. 1864
91-31-7	Revoked	V. 15, p. 1864
91-31-8	Revoked	V. 15, p. 1864
91-31-9	Revoked	V. 15, p. 1864
91-31-10	Revoked	V. 15, p. 1865
91-31-12a through		
91-31-12h	Revoked	V. 15, p. 1865
91-31-13	Revoked	V. 15, p. 1865
91-31-14	Revoked	V. 15, p. 1865
91-31-14a	Revoked	V. 15, p. 1865
91-31-14b	Revoked	V. 15, p. 1865
91-31-14c	Revoked	V. 15, p. 1865
91-31-15	Revoked	V. 15, p. 1865
91-31-16 through		
91-31-30	New	V. 15, p. 1865-1869
91-33-1 through		
91-33-8	Revoked	V. 15, p. 1869
91-34-1 through		
91-34-5	Revoked	V. 15, p. 1870
91-34-7 through		
91-34-14	Revoked	V. 15, p. 1870

**AGENCY 94: BOARD OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1 through		
94-2-12	Amended	V. 16, p. 1242-1245
94-2-13 through		
94-2-18	New	V. 16, p. 1245, 1246
94-3-1	Amended	V. 16, p. 1246
94-3-2	Amended	V. 16, p. 1246

**AGENCY 98: KANSAS WATER OFFICE**

Reg. No.	Action	Register
98-5-1	Amended	V. 15, p. 1708
98-5-8	New	V. 15, p. 1709

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-6-2	Amended	V. 16, p. 737
100-15-1	Amended	V. 16, p. 1176
100-23-1	Amended	V. 16, p. 1174
100-29-1 through		
100-29-14	New	V. 16, p. 380-384
100-34-3	Revoked	V. 16, p. 384
100-34-4	Revoked	V. 16, p. 384
100-35-1	Revoked	V. 16, p. 384
100-35-3	Revoked	V. 16, p. 384
100-35-6	Revoked	V. 16, p. 384
100-35-7	Revoked	V. 16, p. 384
100-36-1	Revoked	V. 16, p. 384
100-37-1	Revoked	V. 16, p. 384

100-37-2	Revoked	V. 16, p. 384	111-2-2a			111-4-100	Amended	V. 14, p. 972
100-38-1	Revoked	V. 16, p. 385	through			111-4-101		
100-39-1	Revoked	V. 16, p. 385	111-2-2e	New	V. 14, p. 1633, 1634	through		
100-40-2	Revoked	V. 16, p. 385	111-2-4	Amended	V. 15, p. 1953	111-4-106	Revoked	V. 16, p. 450
100-42-2	Revoked	V. 16, p. 385	111-2-6	Revoked	V. 13, p. 149	111-4-106a	Revoked	V. 16, p. 450
100-46-1	Revoked	V. 16, p. 385	111-2-7	Revoked	V. 10, p. 1210	111-4-107		
100-46-2	Revoked	V. 16, p. 385	111-2-13	Revoked	V. 10, p. 881	through		
100-46-3	Revoked	V. 16, p. 385	111-2-14	Amended	V. 14, p. 1634	111-4-114	Revoked	V. 16, p. 450, 451
100-46-5	Revoked	V. 16, p. 385	111-2-15	Revoked	V. 10, p. 881	111-4-153		
100-46-6	Revoked	V. 16, p. 385	111-2-16	Revoked	V. 10, p. 1210	through		
100-47-1	Revoked	V. 16, p. 385	111-2-17	Revoked	V. 10, p. 1210	111-4-160	Revoked	V. 9, p. 1676, 1677
100-49-5	Amended	V. 16, p. 1176	111-2-18	Revoked	V. 11, p. 413	111-4-177		
100-54-7	Amended	V. 16, p. 142	111-2-19	Revoked	V. 11, p. 413	through		
100-55-1			111-2-20			111-4-212	Revoked	V. 9, p. 1677, 1678
through			through			111-4-213		
100-55-8	Amended	V. 15, p. 1928-1930	111-2-26	Revoked	V. 13, p. 1401	through		
100-55-9	New	V. 15, p. 1930	111-2-27	Revoked	V. 14, p. 972	111-4-220	Revoked	V. 10, p. 1213
100-55-10	New	V. 15, p. 1930	111-2-28	New	V. 12, p. 1844	111-4-221		
100-67-1	New	V. 16, p. 1174	111-2-29	Revoked	V. 14, p. 972	through		
100-69-1			111-2-30	Amended	V. 15, p. 1180	111-4-224	Revoked	V. 10, p. 1585
through			111-2-31	New	V. 14, p. 170	111-4-225		
100-69-9	New	V. 15, p. 1021, 1022	111-2-32			through		
<b>AGENCY 104: STATE BANKING</b>								
<b>DEPARTMENT, CONSUMER CREDIT</b>								
<b>COMMISSIONER AND DEPARTMENT</b>								
<b>OF CREDIT UNIONS</b>								
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>						
104-1-2	Amended	V. 15, p. 1129	111-2-42	Revoked	V. 16, p. 448, 449	111-4-228	Revoked	V. 10, p. 1585
<b>AGENCY 105: BOARD OF INDIGENTS'</b>								
<b>DEFENSE SERVICES</b>								
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	111-2-43	New	V. 15, p. 287	111-4-229		
105-3-2	Amended	V. 15, p. 1583	111-2-44	New	V. 15, p. 288	through		
105-3-12	New	V. 15, p. 1584	111-2-45	New	V. 15, p. 288	111-4-236	Revoked	V. 10, p. 1585, 1586
105-4-2	Amended	V. 15, p. 1584	111-2-46	New	V. 15, p. 288	111-4-237		
105-5-4	Amended	V. 15, p. 1584	111-2-47	Amended	V. 15, p. 624	through		
<b>AGENCY 108: STATE EMPLOYEES HEALTH</b>			111-2-48	New	V. 16, p. 449	111-4-240	Revoked	V. 11, p. 413
<b>CARE COMMISSION</b>			111-2-49	New	V. 15, p. 1055	111-4-241		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	111-2-50	New	V. 15, p. 1055	through		
108-1-1	Amended	V. 16, p. 651	111-2-51	New	V. 15, p. 1056	111-4-244	Revoked	V. 12, p. 1371
<b>AGENCY 109: BOARD OF EMERGENCY</b>			111-2-52	New	V. 15, p. 1440	111-4-245		
<b>MEDICAL SERVICES</b>			111-2-53	New	V. 15, p. 1441	through		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	111-2-54	New	V. 15, p. 1710	111-4-248	Revoked	V. 12, p. 1371
109-1-1	Amended	V. 16, p. 77	111-2-55	New	V. 15, p. 1920	111-4-249		
109-1-2	New	V. 16, p. 79	111-2-56	New	V. 15, p. 1953	through		
109-2-1	Amended	V. 16, p. 79	111-2-57	New	V. 16, p. 449	111-4-256	Revoked	V. 12, p. 113, 114
109-2-2	Amended	V. 16, p. 79	111-2-58	New	V. 16, p. 449	111-4-257		
109-2-3	Revoked	V. 16, p. 79	111-2-59	New	V. 16, p. 689	through		
109-2-4			111-2-60	New	V. 16, p. 1043	111-4-286	Revoked	V. 11, p. 413, 414
109-2-9	Amended	V. 16, p. 79-84	111-2-61	New	V. 16, p. 1209	111-4-287		
109-2-11	Amended	V. 16, p. 85	111-2-62	New	V. 16, p. 1473	through		
109-2-12	Amended	V. 16, p. 86	111-3-1	Amended	V. 16, p. 1209	111-4-290	Revoked	V. 12, p. 1371
109-2-13	New	V. 16, p. 87	111-3-1	Amended	V. 14, p. 908	111-4-291		
109-2-14	New	V. 16, p. 89	111-3-6	Amended	V. 12, p. 677	through		
109-3-1	Amended	V. 16, p. 89	111-3-9	Revoked	V. 11, p. 1793	111-4-300	Revoked	V. 12, p. 114
109-4-1	Revoked	V. 16, p. 89	111-3-10			111-4-301		
109-4-2	Revoked	V. 16, p. 89	through			through		
109-4-3	Revoked	V. 16, p. 89	111-3-31	New	V. 7, p. 201-206	111-4-307	Revoked	V. 13, p. 1402
109-5-1	Amended	V. 15, p. 1585	111-3-11	Amended	V. 13, p. 35	111-4-308		
109-6-1	Amended	V. 15, p. 1586	111-3-12	Amended	V. 13, p. 1826	through		
109-6-2	New	V. 15, p. 1586	111-3-13	Amended	V. 11, p. 1148	111-4-317	Revoked	V. 16, p. 451
109-7-1	Amended	V. 15, p. 1586	111-3-14	Amended	V. 13, p. 1826	111-4-318		
109-8-1	Amended	V. 16, p. 685	111-3-16	Amended	V. 9, p. 1566	through		
109-10-1	Amended	V. 15, p. 1587	111-3-19			111-4-321	Revoked	V. 12, p. 114
109-14-1	New	V. 16, p. 89	through			111-4-322		
<b>AGENCY 110: DEPARTMENT OF</b>			111-3-22	Amended	V. 9, p. 30	through		
<b>COMMERCE AND HOUSING</b>			111-3-19	Revoked	V. 13, p. 1827	111-4-327	Revoked	V. 12, p. 1371
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	111-3-20	Amended	V. 11, p. 1148	111-4-328		
110-4-1			111-3-21	Amended	V. 11, p. 1148	through		
through			111-3-22	Amended	V. 11, p. 1148	111-4-328		
110-4-4	Amended	V. 16, p. 1329-1331	111-3-23	Revoked	V. 10, p. 883	111-4-335	Revoked	V. 12, p. 114
110-4-5	New	V. 16, p. 1331	111-3-25	Amended	V. 13, p. 1827	111-4-336		
<b>AGENCY 111: KANSAS LOTTERY</b>			111-3-26	Amended	V. 11, p. 1149	through		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>	111-3-27	Amended	V. 11, p. 1149	111-4-340	Revoked	V. 16, p. 451
111-1-2	Amended	V. 7, p. 1190	111-3-29	Revoked	V. 11, p. 1149	111-4-341	Revoked	V. 11, p. 1473
111-1-5	Amended	V. 15, p. 1304	111-3-31	Amended	V. 8, p. 209	111-4-341a	Revoked	V. 12, p. 1372
111-2-1	Amended	V. 16, p. 1043	111-3-32	Amended	V. 10, p. 883	111-4-341b	Revoked	V. 16, p. 451
111-2-2	Amended	V. 12, p. 1261	111-3-33	New	V. 7, p. 1434	111-4-341c	Revoked	V. 16, p. 451
			111-3-34	New	V. 13, p. 149	111-4-342		
			111-3-35	Amended	V. 14, p. 909	through		
			111-3-36	New	V. 13, p. 877	111-4-345	Revoked	V. 16, p. 451
			111-3-37	New	V. 13, p. 877	111-4-346		
			111-4-1			through		
			111-4-5	Revoked	V. 12, p. 113	111-4-349	Revoked	V. 12, p. 114
			111-4-5a	Revoked	V. 12, p. 113	111-4-350		
			111-4-6			through		
			111-4-15	Revoked	V. 12, p. 113	111-4-355	Revoked	V. 16, p. 452
			111-4-66			111-4-356		
			through			111-4-361	Revoked	V. 14, p. 7
			111-4-77	New	V. 7, p. 207-209	111-4-362		
			111-4-96			through		
			through			111-4-365	Revoked	V. 12, p. 114, 115
			111-4-114	New	V. 7, p. 1606-1610			(continued)

111-4-366 through			111-4-607 through			111-4-983 through		
111-4-369	Revoked	V. 12, p. 1373	111-4-619	New	V. 13, p. 1436-1438	111-4-991	New	V. 16, p. 456, 457
111-4-370 through			111-4-607	Amended	V. 14, p. 1407	111-4-992 through		
111-4-379	Revoked	V. 14, p. 7, 8	111-4-609	Amended	V. 14, p. 1407	111-4-1012	New	V. 16, p. 689-694
111-4-380 through			111-4-610	Amended	V. 14, p. 1407	111-4-996a	New	V. 16, p. 1080
111-4-383	Revoked	V. 12, p. 1664	111-4-611	Amended	V. 14, p. 1407	111-4-1013 through		
111-4-384 through			111-4-613	Amended	V. 14, p. 1408	111-4-1016	New	V. 16, p. 1045, 1046
111-4-387	Revoked	V. 12, p. 1373	111-4-616 through			111-4-1017 through		
111-4-388 through			111-4-623	Revoked	V. 14, p. 978	111-4-1037	New	V. 16, p. 1081-1085
111-4-391	Revoked	V. 12, p. 1373	111-4-624 through			111-4-1031	Amended	V. 16, p. 1473
111-4-392 through			111-4-702	Revoked	V. 16, p. 453-455	111-4-1038 through		
111-4-400	Revoked	V. 16, p. 252	111-4-703	New	V. 14, p. 909-914	111-4-1041	New	V. 16, p. 1209, 1210
111-4-401 through			111-4-723	New	V. 14, p. 909-914	111-4-1041	Amended	V. 16, p. 1473
111-4-404	Revoked	V. 12, p. 1373	111-4-724 through			111-4-1042 through		
111-4-405 through			111-4-736	New	V. 14, p. 978-981	111-4-1059	New	V. 16, p. 1474-1478
111-4-413	Revoked	V. 16, p. 452	111-4-737 through			111-5-1 through		
111-4-414 through			111-4-749	New	V. 14, p. 1095-1098	111-5-23	New	V. 7, p. 209-213
111-4-428	Revoked	V. 14, p. 8	111-4-750 through			111-5-9 through		
111-4-429 through			111-4-757	New	V. 14, p. 1408, 1409	111-5-19	Revoked	V. 15, p. 291
111-4-432	Revoked	V. 12, p. 1373	111-4-758 through			111-5-21 through		
111-4-433 through			111-4-761	New	V. 14, p. 1502, 1503	111-5-33	New	V. 11, p. 415-418
111-4-436	Revoked	V. 12, p. 1374	111-4-762 through			111-5-33	Amended	V. 16, 1478
111-4-437 through			111-4-778	New	V. 14, p. 1410-1414	111-5-21	Revoked	V. 15, p. 291
111-4-440	Revoked	V. 12, p. 1374	111-4-769	Amended	V. 14, p. 1503	111-5-22	Amended	V. 13, p. 1438
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111-4-444	Revoked	V. 14, p. 8	111-4-791	New	V. 14, p. 1504-1507	111-5-24	Amended	V. 11, p. 983
111-4-445 through			111-4-792 through			111-5-25	Amended	V. 15, p. 1059
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111-4-469	Revoked	V. 12, p. 1665	111-4-838	New	V. 15, p. 449-452	111-5-38	Revoked	V. 13, p. 1439
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111-4-496	Revoked	V. 16, p. 453	111-4-860 through			111-5-57	New	V. 16, p. 458, 459
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